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SUMMARY OF NEWS.

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Politics of Europe.

The Shipping Report of yesterday, announced the arrival of the *HERCULES*, Captain Heron, from Bencoolen: and Lists of Passengers by that vessel, as also by the *AJAX* and *JAMES DRUMMOND* , whose arrivals were formerly announced, will be found in our last page.

Committee of Lloyd's and the Secretary to the Admiralty.—A correspondence deeply interesting to that great and respectable body of English merchants has taken place within these few days between the Committee of Lloyd's and the Secretary to the Lords of the Admiralty. The facts of the case are of such a nature, that our readers will be well satisfied to receive them unincumbered by any comments, and we accordingly submit the following brief abstract of dates, names, and communications:—

On the 7th of October, the Secretary of Lloyd's addressed a letter to the Admiralty, conveying the intelligence that two British merchantmen, the *VITTORIA* and *INDUSTRY*, had, on the coast of the island of Cuba, been made the victims of piratical violence of depredation.

October 9.—Mr. Croker states in reply, that the Lords of the Admiralty had learned the above intelligence respecting the *VITTORIA* and *INDUSTRY*, through a letter from Captain Walcott, of his Majesty's sloop of war *CARNATION*, of the 12th of August; that on that same day 17 sail of British merchant ships had passed safe by Cape St. Antonio; that Captain Walcott was waiting in that quarter to see the rest safe; and that he was stationed there by Sir Josias Rowley, for the general protection of the trade. Mr. Croker added farther, that the *DOTTEREL* was also stationed in that neighbourhood for the like purpose.

On the 13th of October, a letter was addressed from Mr. Bennett, of Lloyd's, to his brother Secretary at the Admiralty, acknowledging the receipt of the former epistle, and thanking my Lords for their condescension; but unfortunately Mr. Bennett was compelled to subjoin, that he was directed to lay before their Lordships the authenticated facts—1st, that by a letter from Captain Barclay, of the *BELINA*, just arrived from Jamaica in the Downs, that ship had met the *CARNATION* on the 13th of August—not "waiting" off Cape at St. Antonio, for the protection of trade, nor "stationed" there by orders of Admiral Rowley, but off the *Colorados*; and under that circumstances? She had been to Campeachy, had touched at Havannah, and was then on her way to Jamaica with specie. Now, the *Colorados* lies north of Cape San Antonio, that is to say, between Havannah and the latter Cape, and in the course from Havannah to Jamaica. So that the matter stands thus—On the 12th of August, Captain Walcott had seen seventeen sail of English vessels safe past Cape Antonio: if he had not seen them, and protected them, he or the Admiralty is guilty of a base quibble; for the evident import of the passage is, that the merchantmen owed their safety to him, and that he was waiting to do the same good turn for others. Well, then, he had convoyed the merchantmen past the Cape on the 12th; and on the 13th, he was met at *Colorados*, a degree or so to the north of the Cape, and at a point of his voyage from Havannah to Jamaica, antecedent to Cape St. Antonio. It appears, therefore, that to make good the Admiralty history, this ship *CARNATION* must have been sailing backwards, getting further every day from Jamaica to which she was conveying her

profitable cargo of specie! It is in the above unlucky letter that the Secretary to their Lordships describes the *DOTTEREL* to have been stationed, as well as the *CARNATION*, for the protection of trade in the same quarter; but Mr. Bennett destroys that fable also by showing, from the intelligence of Lloyd's List, that the *DOTTEREL*, on the 20th of August, had actually arrived at New York, with another cargo of specie. The *EDWARD PROTHEROE*, it moreover appears, had been run on shore under Saddle-hill and plundered, making her final escape in consequence of the privateer which attacked her having flown off in quest of other prey.

October 11.—A note from Mr. Croker to Lloyd's, presenting his compliments, and requesting that any two gentlemen of the Committee who might find it convenient would call upon him at the Admiralty on the following day between one and two o'clock.

October 12.—Mr. Bennett wrote to Mr. Croker, stating that as Mr. Marryat and most others of the Committee would be out of town (that day being Saturday), he begged that Mr. Croker would, if equally convenient to himself, name Monday instead of that first mentioned.

October 13.—Mr. Croker, to Mr. Bennett, assents.

On Monday, the 14th, the Committee at Lloyd's met, and came to a resolution, in substance, that as every former invitation to attend at the Admiralty had been addressed to the Chairman in the name and by command of the Lords Commissioners, it would be a bad precedent if they were to wait upon the Secretary at his mere personal desire. A letter from Mr. Bennett accompanied this resolution, assigning, as a reason of the Committee, for passing it, that Mr. Croker had not explained the object of the interview, and that any member of the Committee, being ignorant of, and unprepared for it, would feel some inconvenience in attending.

The same day, Mr. Croker, in reply, refers to several notes of old and distant dates from the Secretary of the Admiralty to the Chairman of Lloyd's, addressed in a similar form as his of the week preceding; and as to the suppression of the purpose for which he proposed the interview, he says, that as he had a communication to make, but not to receive there existed no necessity for a previous disclosure of its object.

On the 16th, a meeting was held, and resolutions passed by the Committee of Lloyd's. After reading all the correspondences of the previous week, and extracts of such of their proceedings as were connected with the notes referred to by Mr. Croker, in the years 1809, 1810, and 1813, a letter was prepared and transmitted to Mr. Croker, respecting the construction which he had placed upon the notes in question, proving that in every instance the communications of former Secretaries had been in the name and by order of the Lords; and that the interviews to which Mr. Croker's notes of reference had led, were with the Lords in person. This letter went on to explain the essential difference between attendances on the Lords and on their Secretary—that the former were known by experience to be extremely rare, while the Secretary might frequently find it more convenient to make oral, than written, communications. The letter continued, that when members of the Committee attended the Board of Admiralty, the object, tenour, and result of the meeting were stated formally in writing, and a copy at once made public; but that the verbal report of a conversation involved a responsibility

which it would be painful to incur. The letter concluded by announcing the design of the Committee to abide by their former decision.

A letter from Mr. Croker of the 19th, in a manner no doubt satisfactory to the Admiralty and its officers, finishes the whole correspondence. The gist of it was, that their Lordships, "seeing in Mr. Bennett's letter such marked disrespect to the Board of Admiralty, and such want of confidence in their communications, had ordered Mr. Croker to decline all further correspondence with the Subscribers to the rooms at Lloyd's." We are not aware in what particular, on the face of this correspondence, any disrespect appears towards the "Board" of Admiralty; and as for confidence in such communications as had been transmitted by its Secretary—whose fault is it, if they had been received with undissembled distrust? There is, beyond all question, such a tone of wounded arrogance in the last official letter of which we have presented an abstract, that we are sure Mr. Croker must have felt himself humbled when "my Lords" imposed upon him the ungrateful task of affixing his signature to language so little like his own.

War between France and Spain.—Sterne says, somewhere in his admirable romance, that "it is useless to spend time in guessing about that respecting which the truth will soon be known;" yet still people waste much time in vague conjectures upon the question of peace or war between France and Spain, though it is clear that whilst they have only the present documents before them, they can attain no greater certainty (that is, no certainty at all) to-day than yesterday, or to-morrow than to-day. If the French Ministry act from reason, there will be no war; if from passion, there will be no peace. By the way, it is not improper to remark, that between the two Governments of Spain and France, as they exist at present, the Spanish Government is the older of the two. The Government of the Cortes is at least seven years more ancient than that of Louis XVIII. with his two Chambers and the Charter.

Louis and Ferdinand were both fugitives from their native lands: but the Government of Ferdinand was regularly carried on for him in his name, and for his advantage; and his country was preserved for him during his absence, at a time, and for many years consecutively, when Louis had no more concern in France than in Kamtschatka. He made no part of the French Government in name, or even in thought. The two Kings return at the same time—the one simply to resume the reins of administration, of which he had never ceased from being considered as the head; the other to establish a new monarchy, upon principles, and with attributes totally unknown in France before. Is it not then prodigious that the younger Government should take upon itself to order the older to adopt its forms? Were England now to advise the Spanish Cortes to assimilate their mode of Government to that of the British Constitution, there might be some modesty, or at least not great insolence, in the request; but for the French Government to begin to set itself up as a pattern, and even to demand of the Sovereigns of Europe the office of Regulator-General of the Constitutions of its neighbours—upon what plea, we ask, of experience, prescription, or superior wisdom, can this be done? Perhaps it may be said, that the Constitution of Spain, whatever may be its age, endangers by its proximity the tender institutions of the French Monarchy. We, on the contrary, ask, whether no danger is likely to result to the younger constitution from its unprovoked attack upon the older. Surely, upon every principle of equity, the Spaniards have as great a right (if, indeed, there is any force in what is said above, a greater; but at least as great a right) to obtrude their constitution on the French, as the French have to force theirs upon the Spaniards.

Again, it is uncertain whether the war will begin; but if begun, when will it end? We have before said, that sooner or later, England must take part in it; and that, in her national character. British subjects will, at its very commencement, be busy enough in it for their own personal advantage, and all the powers of Government cannot prevent them. But to consider the question first in a national point of view. It is now three years since the

Austrians entered the Neapolitan dominions; are they one whit more likely to retire than on the day of their entrance? Or, should they retire, would it not be found that they had all their work to do again? Do the French promise themselves greater success than this? Or do they mean, "to kill and eat," as *Beatrice* says, all the Spaniards? Or, having once overran and settled the Peninsula according to their minds, do they suppose they can go away, like the King in the New Testament, into a far country, leaving their servants to manage their talents in their absence, and to give an account to them on their return? Which of these suppositions do they think the most probable? We answer, that they can no longer prescribe a constitution to the Spaniards, and keep that constitution in play, than whilst they are masters of the country; and that if they suppose England would suffer them to hold possession of the Peninsula even for so long a time as the Austrians have now held Naples, they greatly err in their calculations. We know we are in no case to go to war at present; the past extravagance of Government has crippled us; but the people of this country have still an energy of their own, in spite of a succession of imbecile Administrations, and an ill-administered Constitution. Putting out of the question for the present, that generous sympathy which the English cannot but feel for a brave people struggling with their oppressors, and supposing interested motives alone to prevail, individual subjects of England will not be slow in taking advantage of the contest between the two nations. Let but the war between France and Spain begin, and with it will be roused our uncontrollable spirit of naval enterprise. Our Seamen will cover the ocean on Spanish bottoms, and under Spanish letters of marque. "But the Admiralty!" it may be said, "will not the Admiralty interfere, so long as we are at peace with France?" A pretty Admiralty, indeed, to stop the career of British valour where gain and danger invite, which, with the whole navy at command, could not even protect our own merchantmen against a few sanguinary pirates on the coast of Cuba. It will not be long, therefore, before we begin to take a public part in the contest. The only chance as it appears to us, that the war should be soon terminated is, that France should fail at the beginning.

Letter from Lima.—We have seen a letter from Lima, dated in June last, from a British officer of some rank engaged in the service of the Peruvian Government, which contains much curious information respecting that country: among other things he states the independent army to contain 7,600 veteran troops, exclusive of militia, of whom 1,800 were embodied in the city of Lima alone. He believes that the effective force of Laserna does not exceed 6,000, and therefore, though some apprehensions were created by rumours of the advance of the Spaniards on the capital, entertains no doubt of the final establishment of independence in Peru. An expedition, the object of which was not distinctly ascertained, was prepared, and 14 transports had been collected in the harbour of Callao. Some decisive blow was expected, as it was understood San Martin would himself take the command. The Marquis of Torreagale, who was Protector *ad interim*, and Montegudo, the Minister of State, are both described as men of ability, and enjoying considerable popularity.

Union-Hall.—*In poster in the Fashionable World.*—Yesterday, a man of respectable appearance, but shabbily dressed, and having the symptoms of the liberal use of the brandy bottle in his face, was brought before L. B. Allen, Esq., by one of the officers attached to the Mendicity Society, as an impostor of singular boldness and ingenuity. It appeared from the statement of the informant, that the prisoner, whose name is James Carrington, has been for a length of time exercising his favourite talent at the expense of many benevolent and distinguished persons at the west end of the town, by representing himself sometimes as a naval, sometimes as a military officer, reduced to extreme distress by a series of unforeseen and unmerited calamities. A short time ago he made an appeal to the Honourable and Reverend Mr. Grey in so eloquent a strain, detailing woes which never touched the petitioner, as to draw from the pocket of that humane indi-

* Much Ado About Nothing.

vidual the sum of 5l. without being put to the trouble of answering a single question. After such a manifestation of pity, Mr. Grey could not but expect another visit. He received it, and was imposed upon to the amount of 10l. more: all of which money the impostor received within a fortnight, and even without being put to the inconvenience of speaking a word. His pen had performed this service for him; but he was immediately afterwards tempted to try that dangerous instrument in another way. He forged Mr. Grey's acceptance to a bill of exchange, purporting to be drawn by Thomas Storr, for 30l. upon, and accepted by, Mr. Grey. When the bill was presented for payment at Mr. Grey's house in Charles-street, Berkeley-square, it was of course dishonoured, and shortly afterwards that gentleman received a letter from a Mr. Kingston, pressing for payment. No attention was paid to that letter, and Mr. Grey received a second application from the same person, requesting that the amount might be remitted to a Mr. Wyatt, of Portsmouth, to whom the bill was said to have been paid. Mr. Kingston in his second letter said he was satisfied that it was through mistake that the bill had not been paid; that he understood that Mr. Grey would shortly pass through London, and accordingly left the bill at his house, not doubting his honour in remitting the amount. Inquiry was then made for Mr. Kingston, but no such person was to be found; and when application was made to the postmaster at Portsmouth, it was ascertained that a person named Wyatt had ordered all letters addressed to Mr. Kingston to be forwarded to him at the White Horse, in the Borough. It was therefore presumed that Kingston and Wyatt were persons not existing in any element but that of the prisoner's imagination, and that the names had been made use of to give the transaction the appearance of authenticity. The forgery not having the desired effect, and the prisoner fearing that the consequences would fall upon his head, addressed a letter to Lieutenant Bateman, in which were, added to the old tune of "extreme distress" in consequence of loyalty and loss of property in the American war, bitter lamentations for having committed a forgery on his benefactor. In one part of his letter he said, "I shall probably never see you more, but I have that confidence in your friendship, that you will not wholly forsake Mrs. Carrington in her widowhood; nor my seven children, poor unfortunate children when they are orphans." In another part of the same letter, he observed, "I am so certain of my fate, that I am resolved to save the horrors of a trial by pleading guilty." The letter written to Lieutenant Bateman (no such person being in existence) was enclosed in another, purporting to be written by Bateman, and addressed to Mr. Grey; it was couched in the most supplicating terms, and begged for mercy for the miserable man who had thus forfeited all title to the character of a social being. It also described the wretchedness of the prisoner's wife and children, and represented the prisoner himself, as, notwithstanding his forgetfulness of benefits received, a sincere friend, a kind husband, and a tender father. Mr. Grey having disclosed these circumstances to Lady Stamford, her Ladyship recommended an application to the Mendicity Society, from whom he learned that the prisoner was well known to that institution, and had imposed upon them by tales of distress. Sometime ago a paragraph appeared in the morning papers, noticing the liberality of the Bishop of Chichester to his distressed tenants; and from that period the worthy prelate was inundated with petitions and applications of all sorts for relief from all parts of the kingdom. The prisoner's eye caught the delightful notice, and he let off a powerful charge in the shape of a petition at his lordship, stating in the midst of a detail of miseries, that he had been compelled to forge his lordship's signature to a bill for 30l. An investigation having taken place, it was found that the whole of the letter was a fabrication to obtain money. The Duke of Gloucester, Sir G. Crews, Sir John Orde, and several others were amongst those who contributed towards the comforts of the prisoner, but as there were no witnesses present to establish any of the charges, the Magistrate was requested to postpone the further inquiry.

While the prisoner was under examination, he was observed to tear up a letter, but the fragments were picked up and taken care of. He took the thing with great calmness, and was

remanded by Mr. Allen, who hoped the most complete evidence would be brought forward.

Liverpool Mercury, Oct. 6.—Yesterday afternoon and evening a remarkably strong gale of wind was experienced here, accompanied with rain, sleet, and hail, which continued with little intermission until after nine o'clock, when it increased in force and destruction, bursting against the higher buildings of the town in sudden and stunning gusts. The alarm was general. Many of the streets were enveloped in impenetrable darkness, owing to the lamps being blown out; and at a comparatively early hour they were totally deserted, save by a few individuals, who, having been caught in shops or abroad when the gale increased, ran along towards their respective destinations—pausing at every gust under a door or archway. At about ten, many of the sign-boards were torn from the houses, and drifted, in some instances, to a great distance. Slates and building materials were thrown down, and with these the streets were partially strewn in many parts of the town. On the arrival of the London mail, the driver declared that the horses were frequently blown to the sides of the road, in spite of every exertion. About eleven o'clock the hurricane was more furious than ever; our printers were frequently driven from their station by the falling of bricks, &c.; several people were blown down in the streets; and much mischief was done to the roofs of dwelling-houses and other buildings. About twelve and one o'clock the gusts of wind were more moderate, but about two o'clock all the preceding violence was renewed with additional mischief. Again some abatement took place; but a third increase of fury seemed to shake the town between four and five o'clock. From that time to the present hour (noon) the wind has continued very high, but not dangerously so; and accounts are now pouring in upon us, from all quarters, of the melancholy effects of the storm, both on shore and on the river.

Buildings Damaged.—Among the houses which have had their chimneys blown down, and their roofs broken in, are the following, in some of which not only one or two, but all the floors are broken through:—"Mr. N. Waterhouse's house in Erskine-street; Mr. W. Fletcher's, Devon-street; a house in Seel-street; Mr. Worrall's, Upper Islington; Mr. Dixon's, Everton; three or four houses in Stafford-street; a house near the top of Bold-street; Mr. Hope's, Hope-street, the coping stones and upper part of the gable-end blown down; a house in Mill-street, where Mr. Burn, his wife, two daughters, and an infant were for a time buried in the ruins. Mrs. Burn extricated herself with her infant in her arms; she procured assistance, and happily the whole family were extricated alive. The paling around the King's statue was blown down. An unfinished house in Great Homer-street is completely down.

Fatal Accidents.—We have the painful duty to record several melancholy and fatal effects of this memorable storm. Mr. Dixon, of Everton, has been instantaneously bereft of two daughters of about eleven and thirteen years of age, who were killed by the falling of the chimneys. In Mr. Yates's house, Seel-street, the family being from home, the servant had obtained the company of her mother to sleep with her, and by the falling of the chimneys, which broke through to the ground, the mother was killed. The daughter escaped by leaping through a window. Mrs. Worrall, of Upper Islington, was sitting in her parlour, when a similar accident crushed her into the cellar, and buried her in ruins, from which she was taken out, in about three hours, a dreadfully mangled corpse. Her two daughters were considerably hurt. In Strand-street, a chimney also fell in, and killed a woman and much hurt a man. Indeed, the accounts from all parts of the town are most heart-rending. The cries of several persons during the night were heard on the pier-head, and we are informed they proceeded from the people clinging to the masts of a schooner which sunk in the river, and amongst whom one woman lost her life.

Accidents in the River.—We have not time to enter into more of these distressing particulars than to give a copy of the shipping intelligence received by the underwriters, and which is as follows:—*LA PLATA*, for Monte Video, on the Mile Rocks;

lost her foremast, bowsprit, and main-topmast; CHILI, for Valparaiso, on the Mile Rocks; lost her foremast and main-topmast; cargo not damaged; CALEDONIA, for Demerara, on shore in Bootle Bay; lost her mizen-mast, much damaged, and full of water; LEANDER, for Jamaica, dismasted in the river; COSSACK, for Harrington, dismasted in the river; GILBERT HENDERSON, on shore in Bootle Bay, bilged, and dismasted; TOPAZE, from Boston, on Crosby Point, bilged, and filling with water; THOMAS NAYLOR, from St. Petersburg, on shore, rudder unshipped, and topmasts gone; MARY, of Carrickfergus, on shore; BRITISH TAR, from Narva, on shore in Bootle Bay; signal of distress for a ship on shore at Hoyle, and a brig on Crosby Point; ALICE and AMELIA, for Dundalk, and the DANDY, sunk in the Prince's Dock; a schooner, grain loaded, name unknown, sunk on Pluckington Bank; the BELFAST, steam packet, put back, on shore in Bootle Bay, passengers, &c. landed; ROBERT and ANN, from Waterford, full of water in King's Dock, having been run foul of by another vessel; OTMO, for New York, on shore near Sand Hills, Bootle Bay.

Melancholy Catastrophe.—A most melancholy catastrophe, arising from brutal ferocity of no ordinary stamp, occurred unfortunately on Sunday night (Dec. 1) at Middleton. The particulars, we understand, are as follow:—Three gentlemen, among whom was Lieutenant Swayne, now on the half-pay 23d Fusiliers, were sitting together in a room in the Bosh Inn of that town. The landlord, a man of the name of McCarthy, entered the room in the course of the night, offering to sell a picture or pictures he had, and which he produced. The terms were agreed on between him and Mr. Swayne, but which McCarthy afterwards declined acceding to; and some conversation of an unpleasant nature having succeeded, he was directed to leave the apartment, which he declined doing, but was eventually obliged. He then proceeded to a room where he kept a gun loaded for the purpose of shooting wild ducks, and returned forthwith to the apartment where he left the three gentlemen sitting—presented the piece at Mr. Swayne, and lodged the contents in his groin, and very much shattered his hip, inasmuch that little expectation is entertained of his recovery. The perpetrator has, we understand, absconded.—*Cork Constitution.*

The Mermaid in London.—To use a sporting phrase, the Mermaid has been well backed. In the first place, she is detained at the Custom House, and a price of 2000*l.* set upon her ape-like head. Then her picture is sent to Carlton House, and her demi-ladyship is let out of the Custom House; she next takes a first floor at Tom Watson's Turf Coffee House, and sends round her cards for a daily "at home." The great surgeons pay a shilling for a peep—and she is weighed in the scales, and found wanting. Sir A. Carlisle is said to have disputed her womanhood; Sir Everard Home questioned her haddock moiety. One great surgeon thought her to be half a baboon and half a gudgeon; another vowed she was half Johanna Southcote, with a salmon petticoat. Dr. Rees Price thought her a Mermaid clean out; and his opinion was disinterestedly forwarded to us by the proprietor. Lastly, she has become a ward in Chancery, and equity barristers tussle for her rights with all their usual manliness and propriety. She has no comb and glass, but how can a lady in her difficulties regard the care of her person. If she washes herself with her own fins, we ought to expect no more. Certainly now she is in Chancery, Sir John Falstaff's taunt of Dame Quickly cannot be applied to her, "Thou art neither fish, nor flesh, and a man knows not where to have thee!" We have been much pleased with the showman's advertisement about this little Billingsgate woman; he treats the question of her "To be or not to be," like a true philosopher, and only wishes you to be satisfied that she has a claim some how upon your shilling.

[Advertisement.]—The Mermaid in the Sporting World.—So much has been said for and against this wonderful animal, and perhaps with a view to bring on the period of dissection earlier than is intended by the proprietor, and we understand it is his determination to satisfy the public opinion on this important

question, by some of our first medical men and naturalists, as soon as the bare expences that he has incurred by bringing it to this country are liquidated, which cannot be long now, from the many hundreds of spectators that daily call to view it; among the number of many of our noble families; it has also been honoured by visits of royalty. The difference of opinion is now great, whether it will turn out a natural production or a made-up deception, that a great deal of betting has taken place on the event; and as many persons back the strength of their opinion for and against the Mermaid, the sporting men will have a fine opportunity of making a good book, as some are laying 5 and 6 to 4 on the Mermaid being a natural production, while others are laying the same odds, and even 2 to 1 against it. A sporting gentleman, who is supposed to have some concern in this Mermaid, has taken many bets and some long odds to a large amount, that it really is what it is represented—a Mermaid. It is now exhibiting at Watson's, Turf Coffee House, St. James's street.

We warrant us when this lady comes to be "what she is represented," that the Lord Chancellor will look upon her as one of the oldest wards under his care.

The Sterling paper gives an account of a gentleman every way fit to become Miss Mermaid's suitor. His dabbling propensities—his passion for wet clothes—his great age—all render the match desirable. Ought not a reference to be immediately made to the master to inquire into the settlements?—What an account for the papers!—Marriage in wet life! At Shoreditch, on St. Swithin's day, Mr. John Monro, aged 95, to Miss Salmon, the Mermaid. The lady was given away by the Lord Chancellor, and immediately after the ceremony, the happy pair set off for the Goodwin Sands to pass the honey-moon. Two fish-women attended as bridesmaids.

The account of Mr. Monro is as follows:—he seems a fit subject for his namesake, the doctor.

(From the STERLING JOURNAL.) There is at present living, at a place called Glen arrie, six miles from Inverary, a person of the name of John Monro, at the advanced age of 95, who makes a point of walking daily, for the sake of recreation, the six miles betwixt his residence and Inverary, or to the top of Tollych-hill, which is very steep, and distant about two miles. Should the rain pour in torrents, so much the better, and with the greater pleasure does he perambulate the summit of the hill for hours in the midst of the storm. Whether it is natural to this man, or whether it is the effect of habit, cannot be said; but it is well known he cannot endure to remain any length of time with his body in a dry state. During summer, and when the weather is dry, he regularly pays a daily visit to the river Arca, and plunges himself headlong in with his clothes on; and should they get perfectly dry early in the day, so irksome and disagreeable does his situation become, that, like a fish out of water, he finds it necessary to repeat the luxury; he delights in rainy weather, and when the "sky lowers, and the clouds threaten," and other men seek the "beild or ingle side," then is the time that this "man of habits" chooses for enjoying his natural element in the highest perfection. He never bends his way homewards till he is completely drenched; and on these occasions, that a drop may not be lost, his bonnet is carried in his hand, and his head left bare to the pattering of the wind and rain. He at present enjoys excellent health; and notwithstanding his habits, he has been wonderfully fortunate in escaping colds, a complaint very common in this moist climate—but when he is attacked, whether in dry weather, or wet weather, whether in summer or winter, his mode of cure is not more singular than it is specific. Instead of confining himself and indulging in the ardent sweating potions so highly extolled among the gossips of his country, he repairs his favorite element, the pure streams of the Arca, and takes one of his usual headlong dips, with his clothes on. He then walks about for a few miles, till they become dry, when the plan pursued never fails to check the progress of his disorder. In other respects, the writer has never heard any thing singular regarding his manners or habits.

MISCELLANEOUS.

—757—

France and Spain.

OBSERVATIONS ON THE ARTICLE IN THE MONITEUR OF SUNDAY, DECEMBER 1, 1822.

The Congress has changed its place: it is no longer at Verona. According to an article in the *MONITEUR* of this-day, it will be for Spain at Paris—for Italy at Vienna—and for the East wherever the Emperor Alexander may happen to be. A new political system is to take the place of the old. Instead of admitting in Europe, only one single interest—that of the Holy Alliance—the new system of policy reduces every thing to the particular interest of each separate State. If there still exist any community of relations among the Powers, it is now only to be found in the decorum of diplomatic forms; nothing, in fact, being so difficult to reconcile as former interests which have produced connexion, and present interest which may lead to a rupture.

The following are the words of the *MONITEUR* which have given rise to these reflections:—

"We should find, perhaps, a sufficiently solid basis for new conjectures, in the assurance that France has occupied at the Congress of Verona the place which belongs to her among the monarchies of Europe; and that the Continental Powers leave to her the end and termination of the affairs of Spain, with the intention of concurring with all their force in such plans of execution as France shall be in a situation to adopt. In taking this resolution, the high Continental Powers must have acted on an idea so simple and so just, and that it will strike all reasonable persons; they must have confided for the decision of a question which interested them all on that Power whose interest was in this question the most immediate."

Thus as we conjectured, there is to be no general declaration, and Congress is determined to decide nothing positively, for fear of deciding too much. Each Power repaired to the Congress with an interest of its own, and in the same way leaves it. France carried thither a proposition which she will bring back, without its being either condemned or approved; Austria will retain her desire of peace, Russia her projects, and England her fears. This is the conclusion which may be drawn from the article in the *MONITEUR*, and it is what was to be anticipated from the situation of the different States. When Cabinets arrive at this point, the questions in discussion are close upon the point of being decided, not by diplomatists, but by soldiers.

The official journal bestows due honour on the French Plenipotentiaries, and the present Ministry, for the commission which the Continental Powers have made to France of the Spanish question. It seems to us, that they have no great reason to congratulate themselves on this confidence which Europe has placed in them. Do the other Powers bind themselves to ours with respect to Spain? By no means. They do not promise to aid it; they leave it all the honour of invading another country, and secure to it only the advantages of a new occupation for France. There is no other way of explaining the—*concours de toutes leurs forces aux voix d'exécution que la France pourrait être dans le cas d'adopter*. Our neighbours are disposed to act, with regard to us, upon the same principle as we wish to act towards the Spaniards, by rendering themselves secure on the side of France, as France would secure herself on the side of the Peninsula. Thus, according to the *MONITEUR*, it appears certain that, if an army crossed the Pyrenees, an army from the north will pass the Rhine.

We know not whether France ought on this account to congratulate herself on the triumph of her diplomatists. We also do not know whether our merchants ought to rejoice at that triumph. From the statement of the *MONITEUR*, England is not included among the Powers which have abandoned Spain to our Government, for she is not a Continental Power, as all the world well knew before the *MONITEUR* declared it. At present, from the mere fear of war, it is difficult to insure at London the return of a French ship from India at 40 per cent. What will the insurance be if war break out?

But it is not yet decided. It is at Paris the question is now to be agitated, since it has not been decided at Verona. The speedy arrival of the Duke of Wellington and the Russian Ambassador is announced, who may be regarded as the representatives of peace and war. If they have any thing to say to our Government, it will no longer be in the general interest of the Holy Alliance, but in the particular interest of their Cabinets. Such is the new diplomatic jurisprudence established at Laybach, and confirmed at Verona. The Holy Alliance is nothing, the vicinage is every thing. It is in virtue of this right, that Austria invaded Naples, that France wishes to invade Spain, and that Russia will, without doubt, invade the East. If we do not deceive ourselves, this was the law of nations before there was any Holy Alliance, and the Holy Alliance was only created to make this law of nations disappear. Since, however, it appears again, others may conclude that the Holy Alliance no longer exists.

(From the *Quotidienne*.)

The policy of the *Fanatics* has, then, triumphed at the Congress, as the *QUOTIDIENNE* has always wished it should. We believe we can

state this with confidence, and the article of the *MONITEUR*, however vague it has appeared to us, serves to confirm all that we have been able to collect on the result of this great diplomatic decision.

Viscount de Montmorency returned yesterday evening, and it is already reported that the King has recompensed, by a new title the services which that Minister has rendered to the Throne of France. Perhaps we may be allowed to suppose that the doctrines for several months past perseveringly defended by the *QUOTIDIENNE*, have not been overlooked amidst the weighty reasons of state which have swayed the conviction of the representatives of the French Monarch. Wise Statesmen do not disdain to consult public opinion, before meditating on the secret motives which are brought under consideration in the councils of Kings. Hence reasonable writers, who instead of being carried away by dangerous theories, and by vain systems, simply express the wants of society, are most frequently in accordance with the ideas of Governments, and can indicate their determinations beforehand. This has occurred with respect to the *QUOTIDIENNE* in all that we have written on the question of the Congress, and the intervention of the Powers on the subject of Spain. We have repeatedly said, not merely that war was a right, for that was needless; but that it was necessary and inevitable; necessary for the defence of the principles of society and the honour of the crown of France; inevitable, because it was absurd to suppose that all the Sovereigns of Europe should hurry to the same place, merely to hold a parley, without coming to any conclusion.

(From *Le Constitutionnel*.)

The *MONITEUR* is to-day less enigmatical upon the affairs of Spain than it has been for some days past. The arrival of the Vicomte de Montmorency has probably given it permission to express itself less obscurely: nevertheless, it still preserves a tone of reserve and a diplomatic style which is not calculated to give a categorical explanation of the question, and consequently to restore confidence to all the interests of France which have been so frequently alarmed by the fear of a war with the Peninsula.

This is the article published in the *MONITEUR* of this morning: Here follows the article, which was inserted in *THE TIMES* of Tuesday.)

The first observation which strikes us in this note is, that the official journal confesses that it would be of some advantage for things and persons, "to know the progress of questions which interest them at least in proportion as they are accomplished." It is delightful to see the *MONITEUR*, especially when it speaks ministerially, acknowledging the necessity of not allowing affairs of the greatest importance to be surrounded by those uncertain and contradictory reports which have constantly prevailed since the opening of Congress on the subject of Spain. The *MONITEUR* thereby proclaims one of the fundamental principles of every representative Government: it is this—that the nation participating directly in that form of government ought not to be left in entire ignorance, if not of the discussions, at least of the facts which are connected with its dearest interests. This is an homage paid to public opinion of which the expression is so often misunderstood, and to which, however, in the long run, men are always obliged to submit.

It is only painful that the *MONITEUR* should have so long delayed to make the proper application of this maxim: if it had been less chary of positive information—if it had not frequently taken from other journals, articles of intelligence most alarming in their nature—if it had constantly and immediately given the lie to the warlike articles which rapidly succeeded each other in certain Gazettes, and of which the consequences, which ought to have been immediate, are even now adjourned—if the *MONITEUR* had only observed a species of neutrality which perhaps was required by its character and gravity, it would have saved France from the alarms which have lately passed all limits; it would have saved the exchange of Paris, the great losses and commotions which have been felt afar, and which have drawn down ruin on so many families. It is fortunate for France, and we congratulate ourselves upon it, that this nation, so great, so noble, and so generous, has at length re-assumed in Europe, as the *MONITEUR* asserts, the rank and importance which naturally belong to it from its population, its climate, its industry, the character of its inhabitants, and its happy geographical position.

We mark, however, that the *MONITEUR* seems indirectly to exclude England from that honourable union which has placed in the hands of the French Government the balance on which, relatively to Spain, the policy of the European Cabinets ought to rest. "The continental Powers," says the *MONITEUR*, "have handed over to France the future management and termination of the affairs of Spain, with the intention of concurring with all their forces in such means of execution as she may find herself in a situation to adopt." "In taking this resolution," adds the *MONITEUR*, "the high Continental Powers must have acted on an idea so simple and just that it will strike all reasonable persons."

There is no mention of England in the conventions which have been made. Will that Power consent to be thus disregarded, when other nations are deciding how they shall conduct themselves with regard to Spain?

Law Report.

COURT OF KING'S BENCH, DECEMBER 2, 1822.

CARLILE V. PARKINS.

As soon as the LORD CHIEF JUSTICE had taken his seat, this cause was called on for trial, and a common jury sworn.

MR. EVANS opened the pleadings. The declaration set forth that the plaintiff, Richard Carlile, was on the 16th of Nov. 1819, sentenced by the Court of King's Bench to be imprisoned for two years, to pay a fine of 1,000*l.*, and to be further imprisoned until such fine should be paid; that for the purpose of levying the fine a writ of *levari facias* issued, directed to Richard Rothwell and the defendant, then being Sheriffs of London, returnable on Monday next after the octavo of St. Hilary; that the defendant and Richard Rothwell, in pursuance of the said writ, seized large quantities of goods of the plaintiff, chiefly consisting of books and pamphlets, which, unless brought to an immediate sale, would become wholly useless; and also took possession of a dwelling-house and shop in which he had a valuable interest; and though it was their duty to sell within a reasonable time, that they, contriving to injure the plaintiff, and cause him to be imprisoned for life, detained the said goods from the time of the seizure hitherto; by which fraudulent and improper conduct such goods had become wholly useless. There were other counts, omitting the statement of the judgment, and setting forth that the goods were greatly deteriorated in value by the delay, and also a count in *trover*. The defendant had pleaded that he was not guilty.

MR. SCARLETT addressed the jury for the plaintiff. He appeared on this occasion for Mr. Richard Carlile, of whom personally he knew nothing. Of the name he had heard, and they no doubt had heard also; but he earnestly wished for the sake of justice that they could forget that they had ever heard it. He (Mr. Scarlett) was anxious to do his duty by this gentleman as if he had never heard his name; and they would no doubt feel desirous to perform theirs, and for that purpose would endeavour to suppress all the prepossessions they might have received concerning him during the last ten years. He had lived long enough in the world, and had read enough of the history of this and other countries, to know that the most important events frequently arose—that measures of the most permanent influence were taken—because certain individuals were regarded with prejudice or with favour. Earnestly did he wish that this feeling should never find its way into a court of justice: we were men subject to the impressions incident to our common nature; but it was our duty to subdue those impressions, lest they should impede the course of justice, which showed no affection, and indulged no animosity, but dealt fairly and equally by all. If he were rightly instructed, there had been an endeavour in this case to establish a precedent most fatal to the liberty of the subject and to the security of property; and he trusted that a general rule of most fatal tendency would not be this day sustained, because there was a feeling against an individual who complained of injustice. He conceived that when a man was sentenced to imprisonment and fine, it was not law, it never could be tolerated, that the sheriff should make so oppressive a use of the process of the Court as to render the imposition of the fine a means of keeping the party in prison for life; yet such would be the result, if the conduct of the sheriffs on this occasion should receive their sanction. When fine was added to punishment, it had been usual to permit the defendant to remain till the expiration of his imprisonment in the command of those resources which might enable him to pay his fine. In some recent instances, however, process for the recovery of the fine had issued immediately on the sentence, and he could not deny that this was the law; but if the sheriff might seize at once, and retain property till the expiration of the imprisonment without bringing it to sale, and might then sell it to disadvantage or not at all, he would possess the power of inflicting a punishment never contemplated by the Judge, and holy unknown to the laws. Mr. Carlile, the plaintiff, was some time ago convicted of publishing libels, and sentenced to be imprisoned in two years, and to pay a fine of 1,000*l.* He was conducted to prison; *levari facias* was immediately issued, and delivered to the Sheriffs, commanding them to levy of his goods the amount of the fine, and to leave the money in court on a certain day in the succeeding term. The duty of the sheriffs, therefore, was most simple—to seize and convert into money. They were ministerial, not judicial officers; they had no power to decide what should or should not be sold; their plain duty is to obey the writ. Whether in that conduct which they pursued they had any motive which did not appear—whether they desired to put forth a vigour beyond the law to meet some real or supposed exigency—he knew not; but this he knew, that no such feeling, however commendable in its source, could receive sanction of a British court of justice, when permitted to influence the conduct of a ministerial officer. They took, however, all the property on Mr. Carlile's premises on the very day upon which he received judgment; they seized his interest in the house; they shut up his shop; they took the whole of his stock in trade, consisting of books and papers. Did they sell the books?—No.—Did they dispose even

of his interest in the shop?—No. They remained in the house till the 24th of December, the day before the rent became due, and then took away the effects, leaving him to satisfy the rent, for which, notwithstanding this extraordinary proceeding, he was still liable to pay. They then made to the Court a most extraordinary return, by which they sought to give colour to their conduct, and which would probably be their ground of defence to-day. In this return they stated that they had levied certain goods of the defendant and sold them for 54*l.* 7*s.*, of which they had paid 24*l.* 6*s.* 8*d.* for 2 quarters' assessed taxes; that they had also "levied certain other goods and chattels of the said Richard Carlile, the particulars whereof were set forth in the schedule there under written, the value whereof was unknown to them, and which said last mentioned goods and chattels remained in their hands, to be disposed of as the Court should direct;" and that they had paid the sum of 23*l.* for the expenses of taking an inventory, removing and keeping possession of the said last mentioned goods and chattels up to the present time. Now he (Mr. Scarlett) presumed that the sheriff meant to contend that he could not sell these books, because he supposed them libellous—a most strange proposition, the absurdity and impolicy of which could not be shown in too vivid colours. Many of these works were innocent pamphlets, many established works of literature, and among them were 25 copies of "Watson's Apology for the Bible," which the worthy sheriffs, knowing no better, probably took to imply a satire, but which was really full of the noblest and most conclusive reasonings in support of the divine authority of the Gospel. Its author, left in the poorest bishoprick, had done more than any man of his order to serve the cause of genuine piety and of truth. Here were "8,000 sheets of physical and metaphysical inquiries." Were these to be regarded as necessarily libellous? Here were numbers of the "Republican," some of which might possibly contain libels, but it would be too much to presume this of all. There were a great number and variety of works; in the whole perhaps not worth much less than 2,000*l.*, if brought to an immediate sale. If half a dozen of these were libellous, and the sheriffs chose to select these, their conduct, whether legal or not, would be susceptible of favourable interpretation, and their motives might be regarded as honourable. But should it be endured that under a surmise that some of the works were pernicious, they should refuse to sell any—that they should retain a stock of periodical and fugitive works till their interest was lost, and their value gone; and should thus deprive the plaintiff of the means of ever paying his fine or obtaining liberation from his prison? But how should he decide on what was libellous? "I defy," said the learned Counsel, "any lawyer to give me a definition of libel which shall not include five out of six of the books in every bookseller's shop in London. There are many libels which no one thinks of prosecuting—many which are officially prosecuted, but on which Judges must pronounce their opinion when they are dragged before them—but still, in the strictness of the law, they are libels. I will engage to show libels in every volume of Hume's History of England—such, perhaps, as few juries would convict for, but such as Judges would pronounce to be within the restrictions of the law. There is not a satire not a history, scarcely a pamphlet, which does not affect the character of some person living or dead; and suppose a bookseller is convicted of a libel, is the sheriff to seize all his stock, I affirm that there is no history which does not affect some dead king—not a satire in which some mistress is not libelled—not an essay but has the germ of mischief, and on this ground retain them, but refuse to sell them? In his judgment—his weak and servile judgment—to bring the man to utter ruin?" In point of law, continued Mr. Scarlett, he would submit that if the sheriff sold under the authority of the Court, he was not responsible—he might warn the buyers that they could not sell again without danger, but at all events he was bound to exercise some judgment, and not to condemn works without even pretending to ascertain their qualities. He implored the jury to decide this case as if it were that of any other plaintiff; the question was no less than whether a sheriff to whom a writ of *levari facias* was directed, had a right to ruin the defendant; and this they would decide as a question of general justice, not as one of individual character. He was attempting to do his duty as a British advocate, and he called on them to do theirs as a British jury. Were Mr. Carlile the worst of men, he would have an equal claim with the best to his services and to their justice. When he said this, let no man suppose that he meant to cast any reflection on him; he had been prosecuted and punished for misdemeanours, but he was not therefore to be reviled or insulted; he would not say one word to add to the bitterness of his grief, or to wound the feelings of his dearest friend. Here he appeared only as a man seeking that redress to which he felt himself entitled, and this he would doubtless receive at their hands.

Richard William Hayward produced an examined copy of the rule of Court, containing the sentences, the writ of *levari facias*, and the special return, which were read by Mr. Abbott.

Cross examined by Mr. COOGEN.—I know the shop occupied by Mr. Carlile. There was an inscription inside "The Temple of Reason and Office of the Deist." I never noticed an inscription "Office of Republican and Deist;" but it might be there. There were many inscriptions on the premises. I have received letters from Carlile, and answered him, and believe the letters produced to be in his writing.

Friday, April 25, 1823

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Mr. ARCHBOLD objected that the record of the judgment was not produced, and that the writ of *levari facias* was not evidence without it.

The LORD CHIEF JUSTICE adverted to the declaration, and observed, that the second and third counts did not allude to the judgment; the second stated the sentence only, of which the rule of court was evidence; the point, therefore, was not worth discussion.

Charles Brown, examined by Mr. SCARLETT.—I am a carpenter by trade. I was placed in Carlile's shop when he was brought up for judgment. Hopwood, the sheriff's officer, came in that day, and took possession of every thing. He kept the property there. Afterwards the front door inside, and the parlour door, were sealed. The premises continued for six or seven weeks in the same condition. The books were removed, and the household goods sold. I cannot say exactly on what day the removal took place.

Cross-examined by Mr. ARCHBOLD.—The shop was open till towards evening. I do not recollect seeing the inscription "Office of Republican and Deist." I think there was such a thing, but am not positive. I had no instructions to sell; I merely remained with Mrs. Carlile at her desire. I suppose the books were sealed up to keep them safely. I know nothing of the books, for I never read them. I only know that Mr. Hopwood took all the property that was there.

James Griffin, examined by Mr. EVANS.—I have looked at the schedule, and calculated the value of the books, with the exception of a few, if sold at the time they were seized. I calculate the value at 1,440l., excluding newspapers, the Statue of Paine, and some other articles, which I did not know how to estimate. At this time they would, with a few exceptions, be of no value.

Cross-examined by Mr. COOPER.—I have calculated the works at the retail price of each, not what they would be worth to sell in a mass. With me, who am a bookseller, it might take three years to sell, but Mr. Carlile's business was ten times mine. I have heard that some of the "Republicans" were prosecuted; we omitted to value the "Age of Reason" and "Palmer's Principles of Nature," because they had been prosecuted. I have valued the "Cape of Liberty," "Christianity Unveiled," and "The God of the Jews Unveiled;" all indeed, but "Palmer's Principles of Nature" and "Paine's Age of Reason." I cannot tell what the books would be worth as waste paper; nor did I calculate the expense of reprinting them by fresh printing and paper. I remember the inscription "Temple of Reason" and I think "Office of Republican, but am not sure." I never read the works; never a sheet of "Physical or Metaphysical Inquiries;" nor did I ever see it sold. Of my own knowledge I knew the retail price of many, and as to the others I made inquiry. I have read "Wat Tyler," and think it a beautiful poem.

Mr. COOPER.—I must differ with you as to the poetry.

The witness proceeded. I valued that in. I have read some numbers of the "Deist;" they were harmless. A portion of the "Deist" contains Palmer's Principles. I have read "Diderot's Thoughts," but have forgotten them. "Volney's Ruins," the "Philosophical Library," were also valued. I am a bookseller, in Middle-row, Holborn. I am a general bookseller, but there are some of these works which I do not sell.

Re-examined.—I excluded all articles which were prosecuted to conviction. I have heard that "Miller's Physical and Metaphysical Inquiries" is a learned work, and circulated in the trade. "Diderot's Thoughts on Religion," has been sold by me, and is in general sale; his works are in almost every library. I never heard that "Wat Tyler" was prosecuted. I have heard that Sonthey is the author. The wholesale price of books is 25 percent. under the retail price. The "Republican" was a weekly pamphlet; not a newspaper. I valued the busts and medallions, but not the statue of Paine, or the pedestal. I valued the "Apology for the Bible;" it never was prosecuted. The greater part of the works in the schedule are unexceptionable, and sold in other shops openly and publicly. I never saw Mr. Carlile but once, and that only for a minute.

Mr. SCARLETT.—I have done.

Mr. COOPER submitted to the Lord Chief Justice that the actions could not, in point of law, be supported. The plaintiff, if he were desirous that the sheriffs should sell, might have applied to the Court for the writ of *venditioni exponas*, and if he refused to obey this writ, might have further applied for an attachment, which would not be taken off until satisfaction was given to the plaintiff; but the Court would not grant an attachment against the sheriffs for not selling on a writ of *levari facias* (to which the writ of *levari facias* was analogous); and the general rule was, that where the party had no remedy by attachment, he had none by action. This doctrine was deducible from the language used by Lord Mansfield in the case of "Cameron v. Reynolds." Cowper, 403. It was of great importance that the sheriff should be protected in the discharge of arduous, unprofitable, and expensive duties; and therefore he trusted that the Court, who would not grant an attachment against him in such a case, even when the occurrence was recent, would not hold him at this distance of time liable to the present action.

Mr. ARCHBOLD, on the same side, submitted that it was very doubtful whether a sheriff had power to sell without a writ of *venditioni exponas*, and therefore he was justified, under that doubt, of waiting for the delivery of such a writ before he proceeded to a sale.

The LORD CHIEF JUSTICE said he would refer to the declaration.

Mr. COOPER begged to add, that as this was an action on the case against an officer, expressed malice ought to be shown, or the action would not lie.

The LORD CHIEF JUSTICE said that he found, in the second count a charge that the sheriffs forbore to sell within a reasonable time, in neglect of their duty, and for the purpose of oppressing the plaintiff. Now, in his opinion, in point of law, if the sheriffs kept the goods of a defendant for an unreasonable time, without reasonable or probable cause and with design to injure the owner, whereby they were deteriorated in value he was liable to an action. Whether in this case the sheriffs acted with or without probable cause was a question for the jury which he could not withdraw from their consideration.

Mr. SCARLETT observed, that two applications had been made to the Court respecting the goods, but that they could not interfere.

Mr. COOPER explained that one of these applications was made by himself on behalf of the present plaintiff, when the Court granted a rule on which he did not think it advisable to proceed; the other was made by the Solicitor General on behalf of the Crown, that the Court would direct the sheriff what to sell, which the Court refused on the ground that no personal request had been made to them to exercise their own judgment.

The LORD CHIEF JUSTICE asserted to this statement and briefly repeated his opinion to the law as applicable to the case before the jury.

Mr. COOPER addressed the jury for the defendant. He had the honour to appear for Mr. Parkins, two years and a half ago Sheriff of London and Middlesex; but he begged to observe, as Mr. Scarlett had set the example, that he did not consider his character or affairs as blended with those of his client, whose cause he was bound professionally to advocate. He trusted that there would soon be an end of that melancholy prejudice or stupid confusion of mind which mixed up the counsel with the cause. If this species of injustice were adopted, there was an end of all security and justice; our best and wisest step would be to become exiles from England, as we were already exiles from all that was honourable, generous, or just. His defence in this case would branch out into several ramifications; and first he should contend that Mr. Parkins ought not to be regarded as liable, because he had no personal connexion with the parties who had acted in this affair; he gave them no instructions; he had no privity with them. Mr. Collinridge, the secondary, was not appointed by him; he actually refused to appoint him; and, though he knew nothing against his honour, declined to have him forced on him as his agent, and protested against his acting on his behalf in the Exchequer. He even refused to pass his accounts, because he would not swear to transactions of which he was in the darkest ignorance, as he was in reference to the affairs of the plaintiff. In that eloquent reply which they would hear from his learned friend, who was blessed with the most consummate skill and art grafted on the happiest natural genius, they would hear much of the indemnities which Mr. Parkins had taken. But was Mr. Parkins really indemnified? Might he not be told that, as he never acceded to the appointments of his officers, he could not insist on the benefit of their securities? And surely, then, he could not be held responsible for their actions. He could show, in the clearest manner, that he took no part in this levy.

The LORD CHIEF JUSTICE said that he was of opinion, in point of law, that as the return appears to be the act of the defendant, he cannot offer evidence to show that he did not concur in its purport. If he had intended to disclaim it, he should have moved to take it off the files of the Court. While it remains there, we can hear no evidence to show that it is not the act of the party whose name it bears.

Mr. COOPER proceeded. His Lordship had laid it down that a malicious motive, a desire to injure the party, must appear before a verdict of guilty could be given. Here there was no pretence for alleging malice; Mr. Parkins would disdain to lend himself to any party as an instrument of oppression; but whatever might be his opinion on the policy of the laws, he was bound to obey them. He found the books and papers in the utmost confusion, as the schedule itself would testify and surely then—if he must be responsible for the acts of those whom he had disclaimed—it was not malice, but caution which should impel him to take time before he sold them, especially as some of the mass had been prosecuted as libels. Had he sold them, he would, beyond doubt, have been liable to indictment; for ignorance never excused, and least of all in the case of libel, where editors of newspapers, absent, sick, delirious, in prison, had been holden liable for the acts of their servants; how then could a sheriff be holden guiltless? He must, therefore, at all events, have taken time to arrange and examine before he sold; and this very time would, perhaps, be equal to that which had already passed away; while the expense of the scrutiny would have been great. Why, if Mr. Carlile had been so anxious for a sale, did he not apply to the Court to direct the sheriff to sell? The true reason was, that he hoped to pay his fine by a subscription, and to redeem this stock to sell by retail for a greater price than it could have fetched at a sale by auction. Failing in this, he now, at the end of two years and a half, turned round on the sheriff to seek remuneration from him for that imaginary loss to which he had himself been privy. If a man built a house on another's land, it would belong to the owner of the land; but if that owner stood

aloof, and saw the building in progress, the law would infer that the land belonged not to him, but the builder, and would not favour him in an attempted to recover the fruits of labour and expense which he might have prevented. So was it here. He (Mr. Cooper) was a reformer; but he wished not to see a reform which should make men walk on their heads instead of their heels, or should enable a man to take thus the fruits of his own delay. He now came, not without aversion, to allude to the question of damages in a case where he felt assured that the plaintiff ought not to recover any thing. Many of these were periodical works, already several weeks old; "Republicans" which were on hand because they had no sale—ephemeral pamphlets which were born and died in a day, like short-lived insects; and these were worth as much now as when they were originally taken. The "Apology for the Bible" certainly was not libellous; but Mr. Rothwell, who was an A'derman as well as Sheriff, might misunderstand the title; and if he did so, he would not be singular; for the late king, in reference to the same work, said, "the Bible needs no apology." This work would, however, be not at all deteriorated by time. Some of the publications, again, wore libels on the face of them. There was "Wat Tyler," the wretched poetry of which might have prevented its revival—a work so libellous that the Lord Chancellor refused to protect it when pirated. There was the "Age of Reason"—not that he (Mr. Cooper) cared for this or any other work of the kind, for he believed that truth must finally prevail; but we must act under the law, and this work had been stamped as libellous by the verdicts of successive juries. Besides, all these works would have fetched scarcely any thing at a Sheriff's auction; he could not keep open a shop and sell them by retail; and at such an auction more innocent works than these sold almost as waste paper. Mr. Hone had recently sold a large stock of minor works; and on that occasion many sold for scarcely any thing; even some specimens of eloquence, the most orate, mellifluous, and splendid perhaps ever produced, which were published at 7s., only sold for 13d. a copy. Here, then, there was no malice proved; all malice indeed was negatived by the circumstances; and there was abundant probable cause for the delay. So strong did he feel that his arguments and the admitted fact of the case were, that he should abstain from calling witnesses as he originally intended, and sit down in full confidence of a verdict for the defendant.

The LORD CHIEF JUSTICE stated the substance of the pleadings. In passing, he observed that the Court had an undoubted right to fine as well as to imprison; but they endeavoured to proportion the fine to the offence, and also to take care that none should be inflicted which the party under sentence might not have a reasonable prospect of discharging. In point of law, he was of opinion that if a sheriff, having seized the goods of a party for a fine, abstained wrongfully and unjustly from selling within a reasonable time, whereby the property was lessened in value, he was liable to an action; and that if he delayed to sell without reasonable or probable cause, an improper motive must be inferred from his delay. The Jury were then to consider whether in this case the property had been deteriorated; and if so, whether the declining to sell had been without reasonable and probable cause. The learned Judge then read over the whole of the evidence. He observed that it was needless to inquire whether the sheriff would have been liable to prosecution if he had sold libels under the writ, because this principle was perfectly clear that no damages could be recovered for not selling what the law said ought not to be sold. A libellous writing was of no value. It was hard to say that there were not some of these works which might innocently be sold; the copies, for instance, of the "Apology for the Bible," a work of great excellence; but a little unfortunate in its title, which was correct in an etymological, but not in the popular meaning of the terms. This work, however, would probably sell as well now as at the time when it was taken. There might be works of fugitive interest which were also innocent, and which might suffer in value by time. In the whole circumstances of the case—in the inscriptions over the door—in the well-known character of some of the books—in the pretensions of Mr. Carlile himself—there was certainly matter to call for some exercise of deliberation and caution previous to a sale. Whether only reasonable caution had been used, or whether improper delay, not fairly accounted for, had been permitted, was now the main question for the jury to decide. If they thought the delay not excused by the circumstances, they would inquire what deterioration the valuable part of the stock had sustained, and give such reasonable damages as the plaintiff was entitled to receive.

The jury begged leave to retire.

In forty minutes they sent a communication to the Lord Chief Justice, and shortly after came into Court.

The LORD CHIEF JUSTICE then addressed them. He had received a note from one of them requesting to know how small damages would entitle the plaintiff to his costs. In reply to this he would inform them that any damages, however small would carry cost; but if the damages were less than 40s. he had a power to deprive the plaintiffs of costs, by certifying under the statute. He would however advise them, as he always advised juries, to find their verdict for such damages as they thought the plaintiff entitled to claim, and to leave the consequences where the law had directed that they should fall.

The jury retired again for some time, and on their return into Court found a verdict for the plaintiff—Damages one shilling.

Mr. COOPER applied to the Lord Chief Justice to certify.

The LORD CHIEF JUSTICE.—I will consider of it, Mr. Cooper; can, you know, be done at any time. At present, I hardly think I ought to certify.

Police—Bow-Street.

Gaming-houses.—The Magistrates of this office have expressed their determination to exercise to their fullest extent the powers which a recent statute (the Vagrant Act) has vested in them, in order to put a stop to the ruinous system of gambling carried on with such impunity about St. James's. One of the "Hells" was attacked on Tuesday, and in order to make the surprise the more complete, in broad day. About half past 3 o'clock in the afternoon, Smith and Ruthven, and other officers, proceeded separately to Pall-mall: a man in a working dress had been sent forward with a ladder, to wait near the house. The party having met at an appointed spot, hastened in a body; one as he passed the ladder, snatching it up as if in fun, and carrying it on his shoulder. Arrived at No. 33, the ladder was fixed to the first floor window, and mounted almost with the rapidity of lightning. The officers upon entering, saw all clear before them, not a soul being there. Before they could reach the staircase, the Cerberus of the establishment sprang up stairs to the second floor, where "the business" was going on, and closed the door. He had previously rung a large bell, and all was confusion, money rattling, scrapers, balls, and other implements of play being removed, chairs falling, and players swearing. At length they burst in the door; two or three of the party escaped to the stairs; one, with a small box, was secured, and the box found to contain seven dozen of silver counters, 2l. 12s. in silver coin, and 7l. 10s. in gold. Two others reached the roof, and ran along the parapets; one escaped into No. 31; the other was dragged forth from his hiding-place; and fifteen were brought away, viz.:—Israel Jackson, John Marc, Louis Laine, James Thomas, Edward Roberts, William Bond, William Jones, William Brown, Samuel Brown, John Monk, Thomas Howard, James Smith, John de Begree, William Ward, and John Walker. The officers found their precautions were quite necessary; for since the former attack, the windows were heavily barred, and at the top of the stairs was a door three inches thick, strongly cased with iron. They had the large fixed tables taken up, and took away every thing they could not find connected with the games. The whole was removed to Bow-Street in a waggon.

The prisoners were brought to the office in the evening; and Augustus Baron d'Assig, living at No. 6, Eaton-street, Piccadilly, and formerly an officer in the German Legion, deposed that he knew the house to be a place kept for unlawful games. The prisoner Jackson was the sole proprietor of the house, but let it to another party, who are Frenchmen, and from whom he received a salary of 5l. per day, for which he furnished refreshments and managed the house. The prisoner Monk, under Jackson, managed the bank. Jones, Brown, and de Begree, were servants and door-keepers.

Roulette tables and cards were produced; and the officer Ruthven said, there could be no doubt, from the appearance of every thing, that Roulette was the game played.

Mr. HALLS said the evidence was sufficient to bring the prisoners within the meaning of the Vagrant Act.

Mr. HARMER was astonished to hear the Magistrate say so when there was not a title of evidence to prove, that any one of them was seen at play.

Sir R. BIRNIE said it was next to impossible to detect them in the act of playing, and therefore they must take the next best evidence.

Mr. HARMER said, the Magistrates had no right to assume any thing in the absence of positive proof. The act said "playing or betting at," and no such act had been proved.

Mr. HALLS said, if there was no evidence that this was a common gaming-house, he might pause, but here there was direct proof of that fact.

Sir R. BIRNIE took occasion to remark upon the circumstance of so many Frenchmen being engaged in carrying on these infamous houses, and observed that he should take special care to ascertain whether any of them came under the Alien Act, for its provisions could not be better enforced than against such vagabonds.

On the request of Mr. Harmer for time, the prisoners were remanded for the night, and appeared again on Wednesday morning. Mr. Harmer urged the Magistrates to hold the defendants to bail, but in vain.

The prisoner Thomas said, he had never been in the house before and only 5 minutes when the officers came. A person who owed him money promised to meet him there. He was a seller of coals by commission. He would not mention the name of the person he sold for, but would write it down.

Mr. HALLS said, he thought the evidence sufficient. When gaming was proved to be going on, he regarded all persons present as participants in it. The Magistrate then condemned Jackson to be imprisoned two months in the House of Correction, and kept to hard labour; Monk, Samuel Brown, De Begree, and Marc, to be imprisoned each for six weeks; and the remainder one month each. The defendants, in the course of the day, put in bail for their appearance at the sessions to appeal. They will, therefore, be at large till the sessions.

ASIATIC DEPARTMENT.

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Internal Navigation.

The kindness of a friend has furnished us with a Map and Memoir, of a Plan for the formation of an easy and permanent communication by water between the Upper and Eastern Provinces of India and Calcutta, during the dry season; which has been sanctioned by the Government; and is about to be undertaken, by its projector, the ingenious Lieutenant Schaleh. He correctly remarks, that "the want of free Navigation between the Eastern and Upper Provinces, and Calcutta, during the months of January, February, March, April, and May, when most of the Rivers which branch off from the Ganges, become too shallow for large Boats, has long been felt; and considerable expense has been incurred to remedy the evil, but hitherto without effect; every succeeding year bringing with it additional complaints of the obstructed state of the Rivers, and the increased delay in the Navigation."

There can be but one opinion on the utility of such undertakings: and the public works and other mementos of the British nation in India, will tell to future ages the benefits received by her from the only noble and generous conquerors who have planted their banners in the East.

We shall again revert to the subject, so soon as our Engraver can prepare a plate of the Map; the copies of which in the JOURNAL, will be accompanied with such extracts from the Memoir as will be necessary to explain it.

We cannot conclude these hasty lines, without expressing our regret that, while so much private capital is unemployed, the undertaking should not be conducted by a CANAL SOCIETY, under the sanction of the Government; as this would be extending the benefits of the scheme more widely, and advancing the interests of the community at large, in addition to the only advantage now contemplated, that of affording a greater facility in the transit of goods between Calcutta and the Interior.

A Severe Reproof.

To the Editor of the Journal.

SIR,

Having read the Editorial Note attached to my Letter under the signature "A SPECTATOR," inserted in last Wednesday's JOURNAL, I cannot, on this important occasion, forbear reverting to the laudable exertions of your Predecessor, whose virtuous, generous, and benevolent actions are still in the remembrance of the Public; still the theme of admiration: and which will never be forgotten. His readiness to assist and relieve the distressed, was the chief cause which raised him in the esteem of the Public, and which would never have allowed him, as you have done, to treat the sufferings of the unfortunate with cool indifference. A Subscription of this nature, if left to me, an humble individual, can never have the desired effect.

The calamity having befallen those of my own persuasion and caste, is nothing to the purpose; for in the late subscription for the Relief of the Distressed Irish, people of all classes, castes, or persuasions, felt it their duty to unite in mitigating their sufferings. I still think it would be a praiseworthy act, and I am sure, Sir, you must be convinced, that an object of this kind, would be much more easily accomplished through the columns of your widely-circulated JOURNAL, than through the exertions of an humble individual like myself.

I am, Sir, Your's, &c.

A SPECTATOR.

Note — We are sorry that the tenor of the Postscript attached to the "SPECTATOR's" former letter, should have led us into an apparent error: we had understood, that he wished a subscription to be collected from among the Persons attached to this office; whereas, it appears, he meant to imply, that a subscription should be opened by us; and our columns made the vehicle of a petition to the Public in general. We have only to add in reply, that our columns have ever been open for such laudable purposes: and that we are perfectly ready, and shall be happy, to second "A SPECTATOR" in his Philanthropic exertions.—ED

Howrah Chapel.

It is gratifying to learn, that another sacred edifice has been erected in the neighbourhood of Calcutta for Divine Worship. We are requested to notice, that the New Chapel at Howrah, will be opened on Sunday next; when the Rev. S. Trawin, and the Rev. E. Carey, will respectively Preach—one in the morning, and the other in the evening. The Rev. J. Steatham, we learn, is to be the stated Pastor of the congregation, for whose convenience the Chapel has been built.

Ship Travancore.

The Cargo of the ship TRAVANCORE, whose loss, off Muscat, we noticed in our columns yesterday, was insured, we are given to understand, to the enormous amount of Sixteen Lacks! This must fall very heavily upon the underwriters in Calcutta.

Dundas Pilot Vessel.

We hear that the Honorable Company's Pilot Vessel, the PHILIP DUNDAS, which had grounded off Willobery, has been hove off the bank by the SOPHIA Pilot Vessel, and the Diamond Harbour Mooring Vessel, without her sustaining any very material damage. The exertions made to recover the DUNDAS have been very prompt and very creditable to the Officers in the Marine Department.

The Sacred Language.

To the Editor of the Journal.

SIR,

Your Correspondent U. V. W. asserts, "that the Hebrew was the language spoken by Noah, and by the Antediluvian patriarchs;—consequently that in which God spoke to Adam." And he quotes the opinion of Mr. Bellamy, (by-the-by whose translations—which he has the impudence to call improvements—from the original, do credit neither to his head nor heart, whether as a Scholar or as a Divine,) "that the Hebrew is so complete a language, that it is allowed, by those who understand it, to be the most complete and comprehensive language in the world."

If, immediately on the creation of our great Progenitor from the dust of the earth, the Deity spoke to him in the Hebrew language, the inference must be, that that language was communicated to Adam,—on the breath of life being breathed into his nostrils and he becoming a living soul,—by divine revelation. I know that many respectable Scholars, entertain this notion with the learned Dr. Tytler, and your philological Correspondent U. V. W.; but their hypothesis, is not established by the authority of any of the Sacred Penmen.

In respect to the Hebrew being "a most complete and comprehensive language in the world," I also have my doubts. I am no proficient in the Hebrew language; but I think it of all written languages, the most scanty. It is, without controversy, one of the least cultivated, or improved, or polished languages, which has been handed down to us by the ancients: and hence the very great difficulty experienced in translating from the Hebrew Scriptures without the aid of the Targum and the Septuagint.

I am, Sir, Your obedient Servant,

April 24, 1823.

TALEB.

CALCUTTA BAZAR RATES, APRIL 24, 1823.

	BUY...	SELL
Remittable Loans,	Rs. 30 0	29 8
Unremittable ditto,	8 8	8 0
Bills of Exchange on the Court of Directors, for)		
12 Months, dated 30th of April 1823,	25 0	24 0
Ditto for 18 Months, dated 30th of April,	25 0	24 0
Bank Shares	6500 0	6300 8
Spanish Dollars, per 100,	206 0	205 8
Notes of Good Houses, for 6 Months, bearing Interest, at 5 per cent.		
Government Bills, Discounted,		at 3-8 per cent
Loans on Deposit of Company's Paper, for 1 to 3 months, at 4 per cent		

Artificial Wax Candles.

To the Editor of the Journal.

SIR,

Your Correspondent VAN, in his brief letter respecting the notice of the Artificial Wax Candles, which appeared in the HURKARU a few days back, commits two singular errors. By, in the first place, applying the term "Artificial Wax Candles," to those "which are made by the Boors and by the Slaves of the Farmers at the Cape of Good Hope;"—and in the next, by confounding the substance, employed in Southern Africa to form candles, with that of which the candles alluded to in the HURKARU, are composed; a specimen of which accompanies this letter.

The substance employed at the Cape of Good Hope, is a natural production, extracted, I believe, by means of boiling from the seeds of a certain plant; and those tapers can claim, therefore, no pretensions to the name of "Artificial Wax Candles;" being in fact "candles formed from natural vegetable wax." Specimens of Cape vegetable moulded into candles, were presented, some years ago, to the Museum of the Asiatic Society, by my late lamented Sister; and reference to them will immediately discover, the difference between their composition, and that of the "Artificial Wax Candles," which are formed entirely by a most ingenious and Artificial process that has cost the inventor much time and labour in bringing to its present state of perfection.

Your obedient Servant,

Calcutta, April 24, 1823.

R. TYTLER.

New South Wales.

Sydney Gazette, January 16, 1823.

A Deplorable Accident occurred on Tuesday morning on board the ship CALLEDONIA:—Mr. Carns, first officer of that vessel, and brother to Capt. Carns, was suddenly swept off the deck owing to the giving way of a sling, into the hold; from whence he was taken up in an alarming condition. The unfortunate gentleman, we are informed, was struck on the back part of the head; the blood oozed from the mouth and nostrils; and presently after gushed from the wound with great violence; and delirium followed. Medical assistance was promptly afforded to alleviate the agonies of the sufferer, as also to save a much valued life to society. In the afternoon Mr. C. was conveyed on shore to the residence of Thomas Ivelly, Esq. Macquarie-place. Slight hopes are entertained, by Captain Carns, of his brother's recovery.

Thursday Morning.—We have just heard of the death of Mr. Carns. In consequence of the above melancholy occurrence, the departure of the CALLEDONIA is protracted for a few days.—It is thought that the Honorable the Judge Advocate will embark on Saturday.

Men of Tonga.—We cannot avoid noticing the circumstance of the two men of Tonga, that came by St. MICHAEL, having been presented to His Excellency Sir Thomas Brisbane previous to his late visit to the northward. Those interesting individuals were received at Government-house, Parramatta, in a most gracious manner. His Excellency was pleased to show them whatever was calculated to excite curiosity, and produce astonishment in the minds of his visitors. One peculiar characteristic of the Tongese, forming our opinion by these men, is gratitude. They have repeatedly recounted the kindness of His Excellency towards them, and declare their wish to return to their own country to relate the wonders they have seen, and the affection which they have experienced from the people of this Colony. To shew that authority belonged to them in Tonga, the priest and warrior (whose name is not remembered with accuracy) said that (here the Governor only had to tell soldier to fight, and he fight; to say no fight - and he no fight. It was the same way with him in his country; he tell men to fight—they fight; no fight—they no fight. They are learning to read, and seem bent on acquiring knowledge. They have no doubt but that their estimable king (Palau) will visit the Colony upon their return. They are very communicative, and try to evince their pleasure upon the most trifling occasion. His Excellency has behaved in the most liberal way towards their present support; and has been pleased to say, that he will do all in his power to facilitate the views of the Gentlemen under whose management those fine natives are, pro tempore, placed.

Sydney Gazette, January 23, 1823.—Amidst the unusual press of business which has lately fallen to our lot, we omitted to mention the arrival of the ship SKELTON, Capt. Dixon, on the 24th ult. from England, having 44 passengers on board. Mr. W. Murray, who was emigrating

to these Colonies, died on the passage. Captain Dixon brings out, as was contemplated, a most valuable investment.

Robbing of the Treasury.—Between Saturday afternoon and Monday morning some villain or villains effected an entrance into the Treasury of the Commissariat, and took from thence between £500 and £600 in dollars. Hopes are entertained, from the activity of our Police, that the thieves, or receivers, will not long escape detection.

Hobart Town.—The following article is taken from the Hobart Town Gazette of the 14th ult:—"A new era now dawns upon these Colonies.—Their increasing magnitude and importance, and their altering and improving condition, no longer admit of their depending wholly, as heretofore, on the expenditure which the Establishments of government occasion, and which continually diminish in comparison with our population and our wants.—Many of our wants, and even of our luxuries, can be supplied within ourselves; and we need only ordinary effort and perseverance to place ourselves in a condition to exchange for the manufactures of the Mother Country, and for the produce of other Colonies, articles which they require.—That we possess the elements of prosperity and success, no rational man will at this moment deny; and it depends upon ourselves to use and to expand them, by applying our knowledge, capital, and labour, not only to bring into notice and value what we already possess, but to bring to perfection those various articles of which the climate and soil so much favour the production and improvement."

Sydney Gazette, January 30, 1823.—Government has come to the determination of forming another Settlement in the interior; the site designed for which is Wellington Valley, in a north-west direction 80 miles from Bathurst. The expedition left Head-quarters only last week; it will remain at Bathurst, to refresh and recruit, for a week, and then proceed for its destination. Perry Simpson, Esq. Lieutenant in the Army, lately from England, is appointed Commandant of the intended New Settlement. We shall be rather solicitous to hear something of the formation and probable prosperity of this fresh appendage to our Colonial Establishments.

Dollars with Holes.—We beg leave to caution the Public against allowing the further circulation of dollars with holes punched through them. Some of this valuable and necessary coin have undergone a serious injury, owing to the profitable perforations of some gentry who are disposed to trade that way; unless it be done for amusement, or from mere wantonness. It is astonishing to behold, in the course of a week, the numbers of those proscribed dollars; and what is more perplexing, they seem to be on the increase. Neither the Commissariat, or the Bank, will look at them, and therefore it is useless for the Public to consider such outlaws any longer in a favourable light;—they must go to Mr. Josephson, and be worked up.

Outrage in Sam.

About one o'clock P. M. on Saturday the 19th of October, 1823, the Christian Captain of the port, came on board the Brig PHOENIX of Calcutta, and told us, that the Prince Croom-monchet, wished to see us immediately, upon which we hurried away, in my Sampan, accompanied by our Musselman Linguist, and the Port Captain following in his own boat.

The part of the Palace in which the Prince resides, is situated on the right bank of the River Menam, about 2 miles above the shipping—the entrance is filthy, and there is a Bazar. It is a square building, surrounded with a high wall, and has 2 gates. Adjoining to the audience Hall, there is a place open in front, where all visitors are obliged to wait, till it is the pleasure of his Royal Highness to see them.—We had remained some time here, when we expressed to our Linguist, a wish to have the audience over, and particularly mentioned to him, as we had previously done in the boat, that, as we had been run away with upon the assurance of not being detained, when our dinner was almost ready to be placed on the table, we should not wait too long, but go away and return again. To this he did not seem to object nor make any observation, which could lead us to form any idea of our being under restraint.

The Court-yard now seemed to be rapidly filling with people, but as our linguist stated it was usual, it did away with our suspicions for the moment; but observing the crowd still increasing, the strictness of the door keeper, in preventing any person going out, and observing a sword or two, occasionally carried into the palace, I became uneasy and said, if the Prince did not come out soon, we must go away, upon which we were told he had come out, and would see us in a few minutes.—A conversation then took place, with the Port Captain, respecting our having fire arms, when we assured him we had none, that he knew we had hurried away from the Brig, without going below even, and that we

* The oldest Bastard son of the King, who has the commercial and mint departments under his charge.

had been twice there before without any search being required, and it seemed strange, they should now wish to adopt such an obnoxious measure.—Captain Smith then observed that as they insisted upon our being searched we had better go away, upon which we both got up. This moment, however, seemed to be the signal of attack, for we were both immediately struck at, and in an instant separated, and surrounded by such numbers as to preclude the least hopes of escape, or of resistance being of the slightest use. Captain Smith, however, defended himself for some time, in the Court yard, where we had been carried, while I retreated, with my back to the wall of the same place, where we had been sitting.

Here the most brutal attack was made upon me, but being at length overpowered, they seized my legs and arms, and twisted them in the most painful manner, at the same time carrying me backwards and forwards, sometimes with my face down, and others up; while they continued to hit me, with hands and feet and elbows, in the most inhuman manner. Once or twice they attempted to break my back, by placing their knees on it, they then seized my neckcloth, which they twisted, so as to lead me to believe they intended to strangle me—during their attack, I received a blow on the nose, which broke the bridge, and occasioned so much blood to collect in my throat, that I was often nearly choked.—Having at length satiated themselves, I was placed on the floor, and pulling, or rather wrenching my arms back, they put two pair of irons on my ankles, weighing about twenty pounds. While this operation was going on, I observed Captain Smith for the first time, in the same situation: he appeared to have suffered much, having been thrown down, and kicked backwards and forwards, till he became insensible. It was however difficult to say which had suffered most; but our eyes seemed to have been a principal aim, with them, for we were both much disfigured there. Both our watches and caps had been torn from us, but Captain Smith recovered his almost immediately, while I did not get my watch for 3 days afterwards, and the other things were never returned.

Nothing could exceed the barbarity with which we were used. Hands, feet and elbows were all employed, without mercy; death at once would have been preferable to what we suffered.

The Prah-kiang (a relation of the king's, he has the immediate management of the shipping under the prince,) now made his appearance, accompanied by several rajahs of high rank. He then told us, while we were loaded with irons, and bruised and bleeding.—“*Tha* we had now seen what the Siamese *Tomasha* was.” This man's conduct had always been bad, but on the present occasion it surely was brutal in the extreme, to exult in our distress.

The Teloon (a rajah also connected with the shipping) also sent a message to Captain Smith, to say “that he understood the English thought the Siamese were afraid of them, he hoped we were now convinced they were not; convincing proof indeed, when they thought it necessary to have 5 or 600 men to attack us. They then proceeded to enquire into the cause of our killing the Horse, which the King had returned to us; when we answered, that it had become our own property again, and we thought we had a right to do with it as we pleased; that we had no place to put it in, and besides had no provender—that we had been in their country for 6 months, without having been found fault with;—that we had paid them upwards of 10,000 Ticals in duties, and charges, which was more than any one Ship had ever done before, and that it was hard within 3 or 4 days of our intended departure, to be so ill used. We however got no satisfactory answers; and were told afterwards, that our observations were only partially communicated by the interpreter. We were then desired to withdraw to a place which had been prepared for us—but our bones would have suffered more than they did, and they suffered enough, if the bedding of my Sampan had not been fortunately brought in to us. The 4 Lascars who had accompanied us, in the absence of some of my own people, were also severely beaten; and 2 of them who had their lascar's knives with them, had, in addition to the 2 pair of irons, a collar put round their necks, and fastened with a chain to the wall. The whole business appears to have been premeditated; for immediately after we left the Brig, two armed junks dropped down alongside, and several gun boats, having each a gun mounted, and carrying a number of armed soldiers, continued to row along side of us, and Capt McDonnell's Brig Four Portuguese Linguists were also put on board, who were obliged to answer the boats, as they hailed in passing—while the honors in front of the Prah Kiang's and his brother's, were filled with armed soldiers. About 3 hours after we were put in confinement, we were visited by my friend, Chow Croom, a Siamese of rank, and from his being at the head of the Establishment of the Prince, we were supplied with comforts, and treated with attention, which we could not have expected. We were guarded most strictly, having 6 or 10 men constantly with us, in a place about 15 feet long; and others came round frequently in the night, while the Court-yard was filled with troops. On Sunday about 4 o'clock, P. M., several Siamese of rank came into our Prison, and told us, they came to tell us our faults; and that they would write to the Rajah of Penang on the subject.

They then proceeded to read—that we had killed a Horse in the King's boat, that we had said we would have killed it before the Prah Kiang—that two of the Lascars had knives, when they entered the Palace, which was contrary to the custom of Siam, that we were obliged to the Prah Kiang, for not being beaten to death—that we had refused to be searched, and that killing the Horse, were two great faults in Siam; and if a Siamese had done it, it would have been death—but the Prince, out of great friendship for the Rajahs of Bengal and Penang, had forgiven us—that the Brig must immediately proceed to Paknam, (a Village near the entrance of the river, where the guns of the ships proceeding to Bangkok are left, till their return, and where a Pilot is obtained to bring the Ship over the Bar) that our guns would be sent by some other ship, as they were afraid, if we met any of their Vessels outside, we should attack them, &c. that we should be sent down in one of the King's boats the day after the Brig left town for Paknam. Here we ventured to make a few remarks in our own defence, and as we were exceedingly ill, offered to deliver up all the muskets, pistols and swords on board, if they would only allow us to go on board then; but we were told, our case had been decided by their great men, and they could make no alteration whatever after their decision. It was here insinuated, that I had been the first transgressor, in striking one of the Chokedars, but I dared them to the proof, and after waiting half an hour they abandoned it; a most convincing proof that they were the aggressors. They then returned us the first letter which had been written to the Prince, and dictated another, from which it will appear, that even in their own eyes, our faults were not great; and as they admit that we had conducted ourselves for 6 months without fault, surely their treatment of us was most unjustifiable; for, what had we done? we had brought a Horse for a present to the King. He had cost us some money, and a great deal of trouble; he was much liked at first, and taken away without asking our leave even, and had, but a few days before, been in such high favor, that he was placed next but one, to the King in his annual procession—but it had been thought proper, after keeping him for 6 months, to return him. We had neither accommodation nor provender for him—he was again our own property, and we thought the first loss the best, and ordered him to be killed. We also said we would not be searched—they, however, never attempted it, for they first knocked us down, and then searched us. Through the favor of Chow Croom, we then obtained leave to have one pair of our irons taken off; but the poor Lascars could not have the indulgence extended to them, as it was an especial favor, granted by the Prince to us. On Tuesday, the Brig accompanied by the armed Junks, and Gun boats, moved down the river; and I take this opportunity, of saying, that we are much indebted to Capt. McDonnell, for the assistance he gave of both men and boats; and without which we could not have accomplished it so soon.

On Wednesday we were permitted, in the presence of two Grandees, Raasday and Laysowah, to see our Musselman servants, through whom we had sold the principal part of our Cargo and with whom, in consequence of the Prah Kiang's keeping him for the king's ship, against both his own and our inclination, we were obliged to leave a considerable sum of money.—We were not permitted to have any private conversation with him, tho' we had all our accounts to settle. The irons of the Lascars had already been taken off, and they now proceeded to remove ours, we were then obliged to pay a visit to the Prah Kiang, who was sitting in the same place, where the attack had been made upon us. It was soon over, when proceeding to the Ghant we took leave of my never-to-be forgotten friend, Chow Croom and his affectionate little son *Aam*, and embarking about 1 past 3 P.M. to our great joy in my Sampan; proceeded down the river, accompanied by a Siamese of rank, the Captain of the port and a Christian Linguist. We arrived on board the Brig, in about 6 hours; when it was proposed to us, to leave our long boat at Paknam, and that she should be sent after us, with our guns; but we could not accede to it, as we required the Lascars, and the boat was indispensable, but we offered to pay for a boat, if they would send them off to us. The following morning, Thursday, we got under weigh, when the Linguists went on shore, saying that one of them would return with the Pilot, but we never saw either of them, nor was it ever intended, for the same Linguist informed our Gunner, in Bangkok, that we would neither get our Guns nor a Pilot.

We took the Ground, in going out the following day, and did not float again, till the 1st of November, when we got safely over the Bar, and coming to an anchor, to trim the ship, got under weigh, on our voyage in the evening.

Harkara.

(Signed)

WILLIAM STORM.

HIGH WATER AT CALCUTTA, THIS-DAY.

	H.	M.
Morning.....	2	51
Evening.....	3	15
Moon's Age.....	15 Days,	

Selections.

Madras, April 11, 1823.—No changes in the few Shipping remaining in the Roads have taken place since our last.

The non-arrival of the *WOODFORD* and *ELIZA* is extraordinary—one readers already know all about the former Vessel—the latter sailed—from the Downs on the 3d of November, and is therefore much overdue.

The *OGLE CASTLE* is also understood to have taken her departure for this Port about the middle of that month.

Very bad weather is stated to have been experienced by several Vessels on the Equator, and this may account for the long passage of the two last Vessels. The *ROYAL GEORGE* had a very fine run for the season of the year—she reached the latitude of Trincomalee some days within four months of her departure from the Downs, and of this period she was three full weeks becalmed on the line.—*Madras Courier*.

Ceylon Gazette, March 29, 1823.—We learn from Trincomalee that the Ship *ELIZA*, from Calcutta, bound to the Mauritius, put into that port on the 21st inst. for repairs, having encountered a sudden squall on the evening of the 17th instant, in 6° N. Lat. and 86° E. Long. where by a sudden gust of wind, she lost her mizen-mast, and fore-mizen topmast with all attached, Jib boom driven Boom and Gaff, and split her fore-sail and main-sail, the Starboard quarter boat was carried away by the fall of the mizen-mast: it was not until 2 A. M. on the morning of the 18th that the wreck was cleared.

Amusements on board the Royal George.

The harmony and good humour which prevailed on board the *ROYAL GEORGE*, may be estimated by the amusements carried on among the Passengers and Officers of the Ship, during the passage. On one occasion several of the Officers cabins on the gundeck were thrown into one, and decorated with great taste, for a fashionable Route. The passengers, in full dress, on descending the companion ladder came unexpectedly to a small vestibule, at the side of which there was a door with a brass knocker. The company were ushered into the suite of apartments by several servants in livery. The evening was passed with great merriment at Tea, Cards, and Supper. On another occasion there was a Concert, in the Round-house, which went off with much eclat. But a Play was the gayest exhibition during the voyage. The Stage was fitted up on the after part of the quarter deck, with well painted scenery, and the kind of entertainment may be seen from the play bill annexed.

ROYAL GEORGE THEATRE.

By permission of the Commander and under the patronage of the Ladies on board the *ROYAL GEORGE*, the Gentleman Amateurs of the Sock and Buskin, will perform Goldsmith's celebrated Comedy of *She Stoops to Conquer*.

DRAMATIS PERSONÆ.

Sir Charles Marlowe,	Mr. Wyatt.
Harcastle,	Mr. Trcherne.
Young Marlowe,	Mr. Buttivant.
Hastings,	Mr. Baillie.
Tony Lumpkin,	Mr. Melassez.
Digov,	Mr. Baker.
Mrs. Harcastle,	Mr. Carr.
Miss Harcastle,	Mr. Hawkes.
Miss Neville,	Mr. Thorold.

Stingo, Rogers, Ralph, Gregory, Tom Twist, Jeak Sling, Tom Tiekle, Jeremy, and Mat Muggins, by Soldiers.

The Opening Address written by Mr. Gibson and spoken by Mr. Buttivant—the Scenery and Decorations by Messrs. Barton and Assistants—Machinery by Messrs. Attwater and Seymour—the Dresses by Madame Zimmerman, from Paris—the Music expressly selected for the occasion by Signors Stuartini and Cranelogochi.

The Doors to open at half past Six, and to commence at Seven.

Carriages to set down at larboard street, and take up at larboard square.

Children in arms and Dogs not admitted,
Box Office open from Ten till Four.

ADDRESS.

While tost and buffeted by waves and wind,
We often cast a lingering look behind,
Our thoughts still wander and our wishes roam
To that dear spot, we joy to call our home;
But borne far off by destiny's decree
Our wished for friends we cannot hope to see,
And our vex'd souls, by disappointment riven,
And from all bright and pleasing prospects driven,
Turn here and there down-weighted by their clay,
And know not how to drive the hours away.
Here in a w.oden pent-house we're confined,

The sport alike of stormy waves, and wind,
The jarring elements around us shew,
That even in nature, joy is mix'd with woe.
Since then without, no pleasure we can find,
Unto each other let us still be kind;
Like one great family, together live,
And from each other, happiness receive,
One in our pleasures, one in all our cares,
One in our hopes and one in all our years,
In pleasing harmony we'll spend the day;
And thus we'll while the weary hours away;
But most amusements by long use get stale
And ennui at last must still prevail.
Variety is charming, says the poet,
And so say I; and we I think will shew it,
But how to do this let me know, I pray?
Nothing so easy, why get up a Play—
A Play—A Play, why now I am sure you're raving,
Who thus would think of Neptune's fury braving;
The very monsters of the vasty deep
In vengeful ire, up from their beds would leap,
At such invasion of their territory,
As ne'er before was heard of, even in story.
No! keep the Drama for its proper place,
For God's sake don't the sacred art disgrace,
And tire the audience by your declamation
Of tedious rant, and such like botheration.
Pardon me Sir; may now you're too severe,
Think of the end for which we here appear,
'Tis to amuse ourselves and audience too,
Not to be quizzed by critics such as you,
Remember that we're young upon the stage,
Not like the vet'rans of a riper age.
But diffident, alive to praise or blame,
Even tho' we seek amusement more than fame,
So let our errors in good will be drowned,
And thus our wishes with success are crowned:
But what if gentlemen find much to blame,
Why there's the ladies, we make sure of them.
'Tis woman's part to sooth man's anxious mind,
To cheer his drooping spirits and be kind;
'Tis lovely woman props up virtue's cause,
Assists the weak, and gives to honor laws.
As when the sun, the clouds asunder riven,
Sheds his bright rays o'er earth and sea and heaven,
All Nature seems to wear a golden hue
And prospects bright, on all sides meet the view
But when again the envious clouds do rise
And hide his rays from our admiring eyes,
All Nature seems in sombre garb arrayed,
And what was bright before, appears to fade.
So 'tis with woman, when she smiles we see
All objects bright and linked in harmony;
Our heaviest cares she into mirth beguiles,
All cheers our spirits by her witching smiles.
Where'er we look new pleasure we can find
And sweet tranquility reigns in the mind.
Her smiles withdrawn, we lose our glimpse of day,
And short lived joy now withering dies away.
Since then our joys from woman's smiles arise,
We'll read our doom, fair ladies, from your eyes.
Like beacon lights they'll lead us on our way
And we our guides in all we do or say.
Ye sons of Mars whose hearts beat high for fame,
And in war's field who seek to earn a name,
Blest may ye live in India's burning clime,
May British valour live to latest time
Britannia's soldiers have great glory won,
Led by the genius of a Wellington.
Let this example ever be your guide,
Who oft by want and adverse fortune tried,
Shew yourselves Britons in your deeds of arms
In courage, cool, unmoved in war's alarms,
And you brave Tars, Old England's richest gem,
The brightest glory in her diadem,
Who oft have taught our foreign foes to yield,
And long have been our bulwark and our shield,
Tho' Nelson now, no longer braves below,
The Ocean's rage and England's ancient foe;
What tho' he now, to regions bright has gone,
Covered with laurels which he nobly won,
Still let his spirit, guide you o'er the wave,
In peace be gentle and in war be brave,
Smile on our efforts, dissipate our fears,
For England and the *ROYAL GEORGE*, three hearty cheers!

Government Gazette.

ASIATIC DEPARTMENT.

— 765 —

Government Orders.

CIVIL APPOINTMENTS.

TERRITORIAL DEPARTMENT, APRIL 10, 1823.

Mr. Richard Udny, Assistant to the Accountant General.

APRIL 17, 1823.

Mr. George Bacon, Assistant to the Secretary to the Board of Revenue in the Western Provinces.

Mr. Thomas Richardson, Assistant to the Secretary to the Board of Revenue in the Lower Provinces.

MILITARY.

General Orders by the Honorable the Governor General in Council.

FORT WILLIAM, APRIL 18, 1823.

No. 141. The Governor in Council is pleased to make the following Appointment:

Assistant Surgeon John Row to perform the Medical duties of the Civil Station of Nuddeah, vice Assistant Surgeon E. T. Harpur permitted to return to the Military branch of the Service.

Mr. Harpur is accordingly placed at the disposal of His Excellency the Commander in Chief.

It having come to the knowledge of Government, that Mr. Edmund Augustus Blondell, whose rank as a Cadet for the Engineer Corps on this Establishment, was notified in General Orders of the 4th April 1821, is now a Writer in the Honorable Company's Civil Service at Prince of Wales' Island, the name of that Gentleman is to be struck off the List of the Bengal Army.

No. 166. The proceedings of two Courts of Enquiry held at Nee-much and Kurnal having clearly established that Jodah Sing, Havildar 4th troop 4th Regiment Light Cavalry, conducted himself in a brave and Soldier like manner in support of his Officers in the affair with the Troops of Kotah on the 1st October 1821: The Governor General in Council is pleased, in compliance with the recommendation of His Excellency the Commander in Chief, to promote Jodah Sing Havildar to the Rank of Subadar in that Regiment, in reward of his Gallant Conduct.—This promotion to have effect from the same period as that assigned to Subadars Meer Musund Ally and Shaikh Nadur Ally, who were promoted by Government to that Rank for their bravery on the same occasion.

No. 178. A Claim having been preferred to Government by the Officer in charge of the Dacca Provincial Battalion, to be reimbursed the Expenses of providing Recruits for that Corps from Buxar, the Governor General in Council pleased to notify to all Officers in Command of Local, Provincial, or other Irregular Corps, that the practice of recruiting at a distance from the Zillahs in which they are employed, is wholly inconsistent with the views with which such Corps were formed, and is most positively prohibited in future.

The objects which Government have had in view in the formation of all Local, Provincial, or other Irregular Corps of Infantry, were, to provide for the local duties of each district or City from the mass of its own population, or of the Zillahs immediately adjoining—the advantages held out being an inadequate Provision for the Men if removed to any distance from their homes and families; and in the case of Provincial Troops affording no prospect of a support on retirement in Old Age, unless when disabled or wounded in the performance of Duty;—while in many cases, the insalubrity of the Provinces or Districts to which Local or Provincial Corps are assigned, is such, as to render it inadvisable on the score of humanity, that any but the Natives thereof should be enlisted for them.

The Governor General in Council therefore directs, that in Recruiting for Local, and Provincial Corps of Infantry, the Officers Commanding them be held restricted generally to the District in which they are serving, and not beyond the neighbouring Zillahs,—that no Recruiting Parties be ever detached from a Local or Provincial Battalion, which should be filled up on the Spot; and lastly, that no Contingent or Extra Charge will ever be passed for Recruiting.

This Order is also applicable to the Hill Corps especially, which are to be composed solely of Mountaineers, of the Provinces in which they were raised, or may be serving.

No. 197. The Governor General in Council is pleased to make the following Promotions and Alterations of Rank.

Infantry.—Brevet Colonel and Lieut Colonel Jacob Vanrenen to be Colonel of a Regiment, from the 7th November 1822, in succession to White deceased.

Major Edmund Cartwright to be Lieutenant-Colonel, vice Vanrenen promoted, with rank from the 18th January 1823, in succession to Hunter invalided.

21th Regiment Native Infantry.—Captain William Clinton Baddely to be Major from the 18th January 1823, in succession to Cartwright promoted.

Brevet Captain and Lieut. Robert Arding Thomas to be Captain of a Company, from the 18th January 1823, in succession to Cartwright promoted.

Ensign Philip Deare to be Lieutenant, from the 18th Jan. 1823, in succession to Cartwright promoted.

ALTERATIONS OF RANK.

Infantry.—Lieut. Colonel Patrick Byres to rank from the 7th November 1822, vice Vanrenen promoted.

Lieut. Colonel William Burgh to rank from the 13th January 1823, vice Griffiths invalided.

11th Regiment Native Infantry.—Major William Short to rank from the 7th November 1822, in succession to Byres promoted.

Captain John Oliver to rank from the 7th November 1822, in succession to Byres promoted.

Lieut. George Edwin Cary to rank from the 7th November 1822, in succession to Byres promoted.

15th Regiment Native Infantry.—Major Henry Edward Gilbert Cooper, to rank from the 13th January 1823, in succession to Burgh promoted.

Captain Arthur Shyldham, to rank from the 13th January 1823, in succession to Burgh promoted.

Lieutenant Edward Nelson Townsend, to rank from the 13th January 1823, in succession to Burgh promoted.

The undermentioned Officers, Cadets of the 2d Class of the Season 1807, who on the 9th instant, were Subalterns of fifteen-years standing, are promoted to the rank of Captain by Brevet from that date, agreeably to the rule prescribed by the Honorable the Court of Directors:

Lieut. Sam. Lewis Thornton of the 7th Regiment Native Infantry.

Lieut. Hope Dick of the 28th Regiment Native Infantry.

Lieut. David Hepburn of the 5th Regiment Native Infantry.

Lieut. William Simonds of the 9th Regiment Native Infantry.

Lieut. John Thornton Lewis of the 14th Regiment Native Infantry.

Lieut. William John Gardner of the 10th Regiment Native Infantry.

Lieut. Adam White of the 30th Regiment Native Infantry.

Lieut. Francis Smalpage of the 8th Regiment Light Cavalry.

Lieut. Francis Palmer of the 8th Regiment Light Cavalry.

The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Honorable the Court of the Directors:—

Infantry.—Mr. Thomas Dixon, Cadet, date of arrival in Fort William, 15th April, 1823,

Medical Department.—Mr. Arthur Wyatt, Assistant Surgeon, date of arrival in Fort William 15th April, 1823.

Mr. Cadet Dixon is promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Lieutenant William J. Farley of the 23d Regiment Native Infantry, is permitted, at his own request, to resign the Honorable Company's Service, on the production of the prescribed Certificate from the Pay Department.

Assistant Surgeon James Ranken, having reported his arrival at Bombay on the 13th ultimo, and forwarded a Certificate of his being permitted by the Honorable the Court of Directors, to return to his duty on this Establishment (via Bombay), without prejudice to his rank, Mr. Ranken's Furlough will be considered to terminate, both as to period of Service and Military Allowances, from the day he shall report his arrival at the first Station under this Presidency on the Western side of India.

A Certificate from the Public Staff Officer of the Station at which Assistant Surgeon Ranken may arrive, is to be forwarded to the Adjutant General of the Army, for the information of His Excellency the Commander in Chief, and ultimately of Government.

The Governor General in Council was pleased, in the General Department, under date the 29th ultimo, to appoint Assistant Surgeon James N. Hind, Superintendent of the Government Lithographic Press, with an Allowance of Sixty Rupees (400) Four Hundred per Mensem, in addition to the Net Pay of his Rank, together with an allowance of

Sicca Rupees (200) Two Hundred per Mensem, for House and Office Rent.

Brevet-Captain P. Y. Wagh of the 1st Regiment Light Cavalry, Assistant to the Political Agent at Oodeypore, obtained in the Political Department leave of absence for four Months from the 15th ultimo, the date of his having delivered over charge of that Agency, for the purpose of visiting the Presidency of Bombay, preparatory to making a Voyage to the Cape of Good Hope for the benefit of his health: In furtherance of this object Brevet-Captain Wagh will forward an application with the requisite Certificates to His Excellency the Commander in Chief thro' the prescribed channel, in conformity with the rules laid down in General Orders of the 4th May 1823.

No. 199.—The Shares of Major General and Colonel John Crowe, being erroneously exhibited in statement Nos. 2 and 4, of the Consolidated Surplus Off-reckonings, for the Year 1817, as published in General Orders of the 14th February last, owing to the demise of Major General McCulloch in the Year 1817, having been overlooked in the preparation of those documents, the Governor General in Council is pleased to direct the publication of the following details; with a view to correct the Items of the Statements Nos. 2 and 4, under the Names of Major-General McCulloch and Colonel Crowe.

STATEMENT.			
Major General William McCulloch (the late from the 1st of January to the 14th of November 1817,		8737	0 0
Colonel John Crowe (the late) from the 4th to the 14th of November 1817, on the List, at £543, 15 per Annum, vice Hardwick, entitled to the full Share from the former date,	Provided for, in Statement No. 1.		
Ditto Ditto, from the 15th of November to the 31st of December 1817, entitled to the full Share, vice McCulloch, deceased,		291	4 6
ADDENDUM.			
Colonel Lambert Loveday, from the 15th of November to the 31st of December 1817 on the Junior List, at £543, 15 per Annum, vice Crowe, entitled to full Share from the former date as above,	Provided for, in Statement No. 1		
STATEMENT No. 4.			
Major-General William McCulloch (the late from the 1st of January to the 14th of November 1817,		8737	0 0
Colonel John Crowe (the late) from the 4th to the 14th of November 1817, on the Junior List, at £543, 15 per Annum, vice Hardwick entitled to the full Share from the former date,	Provided for, in Statement No. 1.		
Ditto Ditto, from the 15th of November to the 31st of December 1817, entitled to the full Share, vice McCulloch deceased,		1291	4 6

W. CASEMENT, Lieut. Col. Sec. to Govt. Mil. Dept.

General Orders by the Commander in Chief, Head quarters, Calcutta, April 15, 1823.

Ensign C. S. Barberie, of the 1st Battalion 28th Native Infantry is directed to do duty with Lieutenant Colonel Boyd's Detachment till the 1st of October next, when he will proceed and join his proper Corps.

Assistant Surgeon Tuke is appointed to the Mhairwarrah Local Corps, which he will proceed and join as soon as relieved from his present Medical charge of the 1st Battalion 21st Regiment Native Infantry by Surgeon Webb.

Head quarters, Calcutta, April 16, 1823.

Surgeon Geo. Skipton is posted to the 1st Battalion of Artillery, and directed to assume Medical charge of the Artillery Details at Cawnpore, in the room of Surgeon Geo. King appointed to the Civil Station of Patna.

Surgeon Skipton will proceed to his destination with as little delay as possible.

The appointment by Major Nation, in Station Orders under date the 3d instant, of Lieutenant Interpreter and Quarter Master Bignell 1st Battalion 8th Native Infantry, to be Station Staff and to the charge of Post Office, vice Lieutenant Bird, is confirmed.

Lieutenant H. Templer, 2d Battalion 4th Native Infantry, doing duty with Lieutenant Colonel Boyd's Detachment at Dinapore, is directed to proceed and join his own Corps.

The undermentioned Officers have Leave of Absence.

1st Battalion 10th Regiment—Major Moxon, from 1st April, to 1st October, to visit the Presidency, on private affairs.

1st Battalion 17th Regiment—Lieutenant J. Croft, from 1st May to 1st July, to visit Sabathoon.

2d Battalion 17th Regiment—Lieutenant J. Hay, from 1st May, to 1st July to visit Sabathoon.

Head quarters, Calcutta; April 16, 1823.

At a Native General Court Martial assembled at Kamptee on the 1st of March 1823, Iser Chunder, Camp Follower, was arraigned upon the undermentioned Charges; viz.

1st.—“For having by fraudulent means and by making use of the name of Captain Nicolson of the 8th Cavalry obtained on or about the 11th and 12th March 1823, Cloth and several other Articles to the amount of four hundred Rupees from Fuzzel Illahee and Sojhaat Ullee, Merchants in the Sudder Bazar.

2d.—“For Theft, he Iser Chunder, having absconded with those Articles with which he had reached Ramteak when he was seized and brought back by the Chupprassees of the Sudder Bazar, on or about the 15th March 1823.”

Upon which Charges the Court came to the following decision:

Finding and Sentence.—“The Court having maturely weighed the Evidence for the Prosecution, together with what the Prisoner has urged in his defence, is of opinion that he is Guilty of both Charges preferred against him and Sentences him to hard labor on the roads for 5 years at such place as His Excellency the Commander in Chief may deem proper.” Approved and Confirmed.

(Signed) EDWARD PAGET, General, Commander in Chief.

Head quarters, Calcutta, April 17, 1823.

The Appointment by Lieutenant Colonel W. G. Maxwell, in Battalion Orders under date the 27th February 1822, of Lieutenant Brevet-Captain Holland to act as Adjutant to the Left Wing of the 2d Battalion 6th Native Infantry, on his separation from the Head Quarters, is confirmed.

Lieutenant General Marley's Garrison Order of the 7th of April, appointing Lieutenant Wintour, of the 2d Battalion 27th Native Infantry, to perform the duties of officiating Fort Adjutant at Allahabad in the room of Lieutenant (Brevet Captain) Hayes resigned, is confirmed. The undermentioned Officers have Leave of Absence:

1st Battalion 30th Regiment—Ensign Talbot, from 1st May to 1st July, in extension, to enable him to rejoin.

1st Battalion 1st Regiment—Lieutenant Colonel N. Cumberland, from 15th April to 15th July, on Medical Certificate.

1st Battalion 10th Regiment—Lieutenant F. E. Manning, from 19th April, to 1st June, on Medical Certificate, to visit Balasore.

Head quarters, Calcutta, April 18, 1823.

The remainder of the leave granted to Captain B. Roope, of the 23d Regiment Native Infantry, in General Orders of the 31st January last, is cancelled from the 15th instant, that Officer having joined the 1st Battalion of his Regiment at Barrackpore.

Captain Buckley, of the 2d Battalion 18th Regiment, is appointed to do duty with the Wing of the 2d Battalion 19th Regiment at Mirzapore until the 1st of October next, when he will proceed to join the Battalion to which he belongs.

The undermentioned Officers have leave of Absence:

1st Batt. 25th Regiment—Lieutenant Talbot, from 16th December 1821, to 16th June 1823,—to visit the Presidency, on urgent private affairs.—N. B. This cancels the leave granted this Officer in General Orders of the 22d November last.

2d Battalion 1st Regiment—Ensign James Burney, from 1st February to 1st August, to remain at the Presidency, on Medical Certificate.

1st Battalion 22d Regiment—Lieutenant C. Farmer, from 20th May to 20th November, to visit the Presidency, on his private affairs.

Head-quarters, Calcutta, April 19, 1823.

Assistant Surgeon E. T. Harpur is posted to the 2d Battalion 29th Regiment Native Infantry, in the room of Assistant Surgeon J. Row, appointed to a Civil Station.

Lieutenants J. B. Fenton and Wm. Forbes of the 23d Regiment, are directed to do duty with the 1st Battalion at Barrackpore, until the 15th of July next, after which they will proceed to join the 2d Battalion to which they are posted.

Captain C. C. Smyth, of the 3d Regiment Light Cavalry, is appointed to act as Major of Brigade to the Meywarh Field Force, and to the charge of the Treasury and Post Office at Neemuch, during the absence on special duty of Brigade Major Speirs.

JAS. NICOL, Adj. Genl. of the Army

Friday, April 24. 1823.

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THE FOLLOWING ARE GENERAL ORDERS ISSUED TO HIS
MAJESTY'S FORCES IN INDIA.

Head quarters, Calcutta, April 15, 1823.

His Majesty has been pleased to make the following Promotions and Appointments.

4th Light Dragoons.—Lieutenant Colonel Nathan Wilson, from the 17th Light Dragoons, to be Lieutenant Colonel, vice Jas. Ray, who retires upon half Pay of the 17th Light Dragoons, 21st Nov. 1822.

Cornet George Robbins to be Lieutenant without purchase, vice Lindsey, deceased, 21st November, 1822.—This Cancels the Appointment of Lt. Snow, from 17th Dragoons, vice Lindsey, and the Promotion of Cornet Nicholson, in the 17th Dragoons, in succession to Shaw.

Ensign Jas. McCaffrey, from half Pay of the 53th Foot, (Riding Master of the Cavalry Depot, Maidstone) to be Cornet without purchase, 25th October, 1822.

11th Light Dragoons.—Lieut. Edward Crauford Windus, from the 2d Foot, to be Lieutenant, vice Hickman, who exchanges, 31st October, 1822.

Lieut. Augustus Ameyatt, from the 4th Dragoon Guards, to be Lieutenant, vice Shore, who exchanges, 21st November, 1822.

13th Light Dragoons.—Assistant Surgeon Jas. Gibson, from the 69th Foot, to be Assistant Surgeon, vice Bohan, promoted in the 65th Foot, 19th September, 1822.

1st Foot.—Captain Chas. Deane, from the half Pay of the 24th Dragoons, to be Captain, vice Mathew Ford, who exchanges, receiving the difference, 14th November, 1822.

Lieut. Daniel Keogh, from half Pay of the 53th Foot, to be Lieutenant, vice Poltuey J. Poole Sherburne, who exchanges, 24th October, 1822.

14th Foot.—Gentleman Cadet Robert Daly, from the Royal Military College, to be Ensign without purchase, 8th August, 1822.

17th Foot.—Lieut. William White Crawley, to be Captain by purchase, vice Nixon, who retires, 7th Nov. 1822.

Ensign Chas. A. Young, to be Lieutenant by purchase, vice Crawley, promoted, 21st November, 1822.—This Cancels Ens. Chas. A. Young's promotion by purchase, vice Despard.

20th Foot.—Lieut. Col. Thom. Bonnyry, from the half Pay of the 83d Foot, to be Lieut. Col. vice Maitland, appointed to the 84th Foot, 21st November, 1822.

29th Foot.—Ensign Ambrose Congreve, to be Lieut. by purchase, vice Wallace, who retires, 5th September, 1822.—This Cancels Ens. Congreve's promotion vice Gilbert, deceased, and the appointment of S. W. Wybrants in succession.

Gentleman Cadet Thos. Bonke, from the Royal Military College, to be Ensign without purchase, 8th August, 1822.

30th Foot.—Ensign Jas. Nesbitts Gregg, to be Lieutenant without purchase, vice John Roe, 2d, deceased, 31st December, 1821.

Gentleman Cadet Nimon Armstrong, from the Royal Military College, to be Ensign without purchase, 8th August, 1822.

38th Foot.—Major William Frith, from the 72d Foot, to be Major, vice Sir Charles Cuyler, Bt. appointed to the 69th Foot, 29th August, 1822.

Gentleman Cadet William J. Owen, from the Royal Military College, to be Ensign without purchase, 8th August, 1822.

Ensign George Conway Montague Levine Wade, Soutar Johnstone, from the 29th Foot, to be Ensign, vice Owen who exchanges, 4th September, 1822.

Ensign Frederick Moore, to be Lieutenant without purchase, vice Kerr, Senr. deceased, 12th September, 1822.—This Cancels Ensign Moore's promotion vice Huston, deceased.

41st Foot.—Gentleman Cadet McKenzie Champain, from the Royal Military College, to be Ensign without purchase, 5th September, 1822.

Ensign Joseph Eyles Deere, from the half Pay of the 72d Foot, to be Ensign, vice Champain appointed to the 29th Foot, 31st October, 1822.

44th Foot.—Gentleman Cadet George J. Smart, from the Royal Military College, to be Ensign without purchase, 5th September, 1822.

46th Foot.—Lieut. Alexander Campbell to be Captain without purchase, vice Hemsworth, deceased, 21st November, 1822.

Ensign Robert Campbell, to be Lieutenant vice Campbell, 21st November, 1822.—This Cancels Ens. Robt. Campbell's promotion vice John Campbell 2d, removed to the 11th Dragoons.

Gentleman Cadet Jas. M. Canning from the Royal Military College, to be Ensign without purchase, 5th September, 1822.

47th Foot.—Ensign Robt. Ridge, to be Lieutenant without purchase, vice Christopher Irvine Corbrane, deceased, 23rd December, 1821.

Gentleman Cadet John Lardner, from the Royal Military College to be Ensign without purchase, 5th September, 1822.

53d Foot.—Lieut. Jas. Stewart to be Quarter Master, vice Blackie, deceased, 7th November, 1822.—This Cancels H. Mahon's appointment, vice Blackie.

54th Foot.—Captain William Cox, from the 19th Foot, to be Captain, vice Brouhead, who exchanges, 21st November, 1822.

59th Foot.—Lieutenant Samuel Clutterbuck to be Captain without purchase, vice Mayne deceased, 7th November, 1822.

Ensign Alexander Murray, to be Lieutenant, vice Clutterbuck, 7th November, 1822.

Lieutenant Hon'ble Jeffery Amherst, from the 1st or Grenadier Foot Guards, to be Lieutenant, vice Bloomfield, appointed to the 7th Foot, 21st November, 1822.

Hon'ble Adolphus Frederick Cathcart, to be Ensign, vice Muray, 7th November, 1822.

65th Foot.—To be Lieutenants without purchase.

Ensign William S. Wood, vice Jos. Mulhern, deceased 26th December, 1822.

65th Foot.—Ensign George M. Bowen, vice Blacker, deceased, 27th December, 1821.—This Cancels the promotion of Ensign Frankland, from 24th Foot, and subsequent removal into the 67th.

To be Ensigns without purchase.

Henry Robert Addison, Gent. vice Wood 26th December, 1821.

Donough O'Brien, Gent. vice Bowen, 12th September, 1822.—This Cancels Donough O'Brien's, appointment in the 24th Foot.

Assistant Surgeon William Bohan, from the 13th Light Dragoons, to be Surgeon, vice Mackesey, deceased, 8th August, 1822.—This Cancels Asst. Surg. C. Reilly's promotion, vice Mackesey.

67th Foot.—Gentleman Cadet Josephus Devereil, from the Royal Military College, to be Ensign without purchase, 7th Nov. 1822.

69th Foot.—Major Sir Charles Cuyler, Bt. from the 33th Foot, to be Major, vice Charles James Barrow, who retires upon the half pay of the 43d Foot, 29th August, 1822.

Ensign William Searth Moorsom, from the half pay of the 31st Foot (a Gentleman Cadet, from the Royal Military College), to be Ensign, without purchase, 7th November, 1822.

67th Foot.—Lieutenant N. Clifford to be Captain without purchase, vice Fitzgerald, deceased, 11th December, 1821.

Ensign George Booth to be Lieutenant without purchase, vice Clifford, 11th December, 1821.

William Smyth, Gent. to be Ensign without purchase, vice G. Booth, 12th September, 1822.

Ensign Joseph Thomas, from the half pay 101st Foot, (a Gentleman Cadet, from the Royal Military College), to be Ensign without purchase, 7th November, 1822.

89th Foot.—To be Captains without purchase.

Lieutenant Watson Augustus Steel, vice Savage deceased, 14th October, 1821.

Lieutenant Charles Cannon, vice Basden, promoted, 12th September, 1822.

Lieutenant John James Sargent, from the half pay of the 60th Foot, to be Lieutenant, vice Græme, appointed to the 53d Foot, 8th August, 1822.

Ensign John William Tottenham, to be Lieutenant without purchase, vice Cannon, 12th Sept. 1822.—This Cancels the promotion of Ensign Cates from 87th vice Cannon, and DeL'Etang's appointment in 87th, in succession to Cates.

Henry Stanislaus LaRoche, Gent. to be Ensign, vice Tottenham, 2d Sept. 1821.—This Cancels LaRoche's appointment in the 14th Foot.

Gentleman Cadet, John Robinson, from the Royal Military College, to be Ensign without purchase, 7th Nov. 1822.

Brevet.—Captain Charles Harrison, of the 20th Foot, to be Major in the Army, 13th August, 1822.

Memorandum—The exchange between, Captain Nicholls, from the half pay of the 25th Light Dragoons, and Captain Jones of the 89th Foot, (as stated in the General Orders of the 27th January last,) has not taken place.

The Commission of Lieutenant Spaight, of the 87th Foot, has been antedated to the 11th October 1821, that being the date it ought to bear.

The Commission of Ensign Rumley, of the 30th Foot, has been antedated to the 5th of January 1817.

Ensign Thomas Hill, of the 53d Foot, has been permitted to resign his Commission, 14th November 1822.

Head quarters, Calcutta, April 15, 1823.

His Excellency the Commander in Chief in India, is pleased to make the following Appointments, until His Majesty's pleasure shall be known:—

20th Foot.—Lieutenant Congreve, having been previously promoted, Lieutenant Eyre succeeds to the Lieutenancy, vacant by Lieutenant Gilbert's decease, and S. W. Wybrants, Gentleman, succeeds to Lieutenant Eyre's Ensigncy.

35th Foot.—Ensign Thomas A. Trant, to be Lieutenant, vice Houston, Lieutenant Moor having been previously promoted by His Majesty.

Memorandum.—Assistant Surgeon Gibson, of the 13th Light Dragoons, will continue in Medical Charge of the 69th Foot, until further Orders.

Head quarters, Calcutta; April 19, 1823.

The undermentioned Officers have received His Excellency the Commander in Chief's leave of absence for the reasons assigned.

11th Dragoons, Lieutenant Cooper, from 30th instant, for 5 months in extension, to enable him to join his Regiment.

16th Dragoons, Lieutenant Armstrong, to 1st August 1823, in extension to enable him to rejoin his Regiments.

38th Foot, Captain Hardman, from 17th instant, to 29th May, 1823, to visit the Presidency on his private affairs.

35th Foot, Lieutenant Magill, from 10th instant, for 2 months on Sick Certificate.

35th Foot, Lieutenant and Adjutant Snodgrass, from 20th instant, to 1st June, 1823, to proceed to Calcutta on his private affairs.

The leave granted by his Excellency General Sir Alexander Campbell, to Lieutenant Thomas of the Royal Regiment and Pay Master Pilon, of the 54th, to return to Europe for the recovery of their health, and to be absent on that account each for two years, from the date of embarkation, is confirmed.

By Order of His Excellency the Commander in Chief.

THOS. McMAHON, Col. A. G.

Madras Government Gazette Extraordinary.

FORT ST. GEORGE, APRIL 8, 1823.

THE HONORABLE THE GOVERNOR GENERAL IN COUNCIL has received, with sentiments of deep regret, the mournful intelligence of the Death of the Honorable WILLIAM THACKERAY, Esquire, a Member of the Council of that Presidency, which lamented event took place at Sea, on the 11th of January, on his passage to the Cape of Good Hope for the recovery of his health.

The Governor in Council directs, as a mark of respect to the memory of the deceased, that the Flag of Fort St. George be immediately hoisted half staff high, and continue so until sun-set this evening; and that Minute Guns, forty seven in number, corresponding with the age of the deceased, shall be fired from the Ramparts of Fort St. George.

By order of the Honorable the Governor in Council,

E. WOOD, Chief Secretary.

Shipping Arrivals.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
April 24	Hercules	British	J. Herou	Bencoolen	Mar. 12

BOMBAY.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
Mar. 30	Aurora	British	R. E. Goodridge	Persian Gulph	—
30	Dunvegan Castle	British	D. Campbell	China	Jan. 27
30	Royal Charlotte	British	W. Howell	China	Dec. 30
April 1	Daria Dowlet	Arab	Futlay Ally	Penang	Feb. 1
2	Sarah	British	R. Codinez	Penang	Jan. 6
3	Hamudy	Arab	N. A. Meya	Surat	—

Shipping Departures.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	Destination
April 23	Clydesdale	British	D. Mackellar	Liverpool
23	Barretto Junior	Portg.	A. Vasconcellos	China
23	Portsea	British	E. Worthington	Rangoon

BOMBAY.

Date	Names of Vessels	Flags	Commanders	Destination
Mar. 30	Vestal	British	J. W. Guy	Mocha
April 3	Sylph	British	G. Middleton	Malabar Coast
3	Ranger	British	C. C. Clarke	Mauritius

Stations of Vessels in the River.

CALCUTTA, APRIL 23, 1823.

At Diamond Harbour.—VIRGINIA, and ZELI, (F.), onward-bound remain.

Kedgerce.—BRIGIDA, (Schooner), onward bound, remains.

New Anchorage.—H. C. S. ROYAL GEORGE,—MANGLES, proceed down.

Saugor.—FRANCIS WARDEN, gone to Sea.

The AJAX arrived off the Salt Golahs on Wednesday.

Passengers.

Passengers per Ajax, Captain W. Gillett, from the Cape of Good Hope the 26th of January, and Madras the 17th of April.

From the Cape of Good Hope.—Mr. Pearse, Mariner. From Madras.—Captain J. Fleming, 19th Regt. from the WOODFORD at Madras.

Passengers per James Drummond, Captain George Wise, from Madras the 2d of April, Coringa, and Bimlipatam the 18th ditto.

From Madras.—Mrs. Gordon and three Children; Messrs. P. Gordon, Lazar Agabeg, and Johannes Stephen.

Passengers per Hercules, Captain John Heron, from Bencoolen the 12th of March, and Ceylon the 17th of April.

From Bencoolen.—Mr. J. Nicholson, Merchant; Messrs. W. Slater, and W. P. Whitfield, Mariners; Mr. Brown and family, Apothecary; and Mr. W. Grant, Merchant from Padang.

Vessels in the River.

Statement of Shipping in the River Hooghly, on the 1st of April 1823.

Description of Vessels.	Vessels	Tons.
Free Traders, for Great Britain, &c	4	1,870
Country Ship, for ditto	1	690
Ditto for China	1	261
Ships and Vessels employed in the Country Trade	21	8,729
Laid up for Sale or Freight	13	7,779
French Vessel	1	300
American Vessel	1	286
Portuguese Vessels	6	2,100
Spanish Vessel	1	270
Dutch Vessel	1	149
Arabian Vessel	1	500
Total	51	22,934

Free Traders in the River, on the 1st of April, 1822, 4 1,853

Ditto ditto, on the 1st of April 1823, 4 1,870

Increase 0 18

Commercial Reports.

(From the Calcutta Exchange Price Current of yesterday.)

Indigo.—This continues firm, and the better qualities going off fast at our quotations, the Arabs and Americans are still in the market.

Cotton.—The market still continues dull, and the few sales effected confined to country consumers. At Mirzapore, on the 15th of April, new Bandah was quoted at 19-2, and Cutchoura at 15-5 per local maund. At Jeagunge, on the 20th of April, new Bandah was stated at 15-12, and Cutchoura at 12-12 to 13 per maund, stock 7800 maunds.

Opium.—We have heard of no transactions in this since our last, except the Honorable Company's re-sale of 21st instant, stated below, which can hardly be considered a guide to the market, we consequently have not altered our quotations.

Particulars of 17 chests of Behar Opium, re-sold by the Honorable Company on the 21st of April 1823, viz. 5 chests at 2655, 12 chests at 2010, average 2199 11-4.

Grain.—The demand for this during the week has been limited, Dooda and Gangajalla Wheat and Patna Gram have fallen about one anna per maund since our last.

Picee Goods.—Very dull, and looking down.

Saltpetre.—In fair demand, at our quotations.

Sugar.—Dull, but we have no alteration to state in prices.

Freight to London.—Still rates at £ 4 10 to £ 7-10 per ton.

Marriages.

On the 23d instant, at the Old Roman Catholic Church, by the Reverend Mr. MOSQUITA, WILLIAM VINCENT, Esq. to Miss LOUISE AUGIER, Daughter of P. AUGIER, Esq. Calcutta.

On the 21st instant, Mr. JOHN HARDLIS, to Miss MARY D'COSTA.

Birth.

On the 23d instant, Mrs. S. D'Cruz, of a Daughter.

At Fort Marlbro', on the 4th of February, the Lady of EDWARD PRES-GRATE, Esq. of the Honorable Company's Civil Service, of a Son.

Death.

On the 23d instant, at the Residence of JOHN PALMER, Esq. CHARLES SCOTT ROBERTSON, Esq. of Bowring Factory, aged 25 years.

Erratum.

In yesterday's JOURNAL, under the head "NATURAL PHILOSOPHY," pag. 745. column 2, line 24, for "who is not at present," read "who is at present."